

PLANNING COMMISSION MEETING

AGENDA

Thursday, August 21, 2025 7:00pm

- 1 **CALL TO ORDER:** Matt Modlin, Chairman
- 2 **ROLL CALL:**
- 3 **CONSENT AGENDA:**
 - Approval of minutes
 - July 17, 2025
- 4 **PUBLIC HEARING: PLANNED UNIT DEVELOPMENT**
- 5 **PUBLIC COMMENT:**
- 6 **OLD BUSINESS:**
 - a) Preliminary Plat 1912 Revised
 - b) PUD Zoning, Redefine and Clarification of Chapter 50

7 **NEW BUSINESS:** None

8 **DISCUSSIONS:**

- a) Meeting Time Change
- b) Zoning Workshop

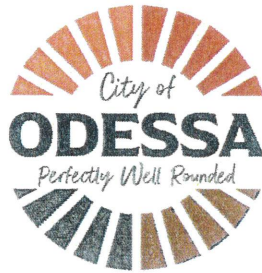
9 **NEXT MEETING:** September 18, 2025

10 **ADJOURN:**

Agenda posted at the following locations:
City Hall, 228 S Second Street City's
Website
https://www.city_ofodessamo.com
Emailed to The Odessan
August 15, 2025

A quorum of the Board of Alderman may be in attendance however, no Board votes will be taken.

Community Development
Christi Dickey, Administrative Coordinator
PO Box 128 228 S Second Odessa, MO 64076
Phone: (816) 230-5577



City of Odessa
Planning and Zoning Commission
Minutes – July 17, 2025

The City of Odessa Planning and Zoning Commission met to hold regular business July 17, 2025 at the Odessa Community Building.

Roll Call: Present were, Mary Bertram co-chair, Steve Nance secretary, JoAnn Quigley, Seth Howerton and Shannon Dupree members. Absent: Matt Modlin and Bill Hunt. City staff present was Christi Dickey, Planning and Development support staff. Shawna Davis, City Administrator, Also present were, Hannah Spaar, Mike Plachte, Bryan Barner, Jade Rodell-Tipton, Adam Couch, Brian Curtain and Marshall Dupree .

Consent Agenda:

Minutes - On motion by Seth Howerton, seconded by, JoAnn Quigley minutes of June 17, 2025 were approved as presented.

On a motion to amend the agenda from Mary Bertram, second by Seth Howerton the agenda was amended to allow the New Business to go before the Old Business.

New Business: Preliminary Plat for the 1912 Residential Development A motion by Seth Howerton and seconded by JoAnn Quigley the board approved the preliminary plat with the condition they add the five (5) parking spots to the preliminary plat and send the three (3) variances required to the Board of Adjustment. Plat approved 4 to 1, Steve Nance voted against the approval. Approved by majority.

1. Lot Area – Lot 1 and Lot 8
2. Side Yard (Interior) Setback – Lot 1 Existing building
3. Parking Stall Depth – 18 feet to required 20 feet

Old Business:

1. Discussion: (PUD) Planned Unit Development , Motion made to return Chapter 50 code of ordinance to City staff to, redefine and with clarifications.

Discussion: Zoning

Adjournment: With a motion by Seth Howerton and seconded by JoAnn Quigley to adjourn, the meeting adjourned at 8:50 p.m.

Submitted by:
Steve Nance, Secretary

PUBLIC NOTICE

City of Odessa
Code of Ordinance
Chapter 50 - Section 50 - 580 (9)
Variance- 09-02-2504

Notice is hereby given that a public hearing will be held by the Board of Adjustment of the City of Odessa on **Tuesday, September 2nd 2025, at 1:00 p.m.** at the **Dyer Park Community Bldg., located at 601 W Main Street, Odessa, Mo** for the purpose of hearing interested parties and citizens on the requests by the property owner Robert Hotmer, Hotmer Excavation, a variance to Chapter 50 of the City of Odessa Code of Ordinance Section 50 - 580. Amount of off-street parking and loading required for a commercial establishment. Located at 400 East 40 Highway, Odessa, Missouri 64076

CITY OF ODESSA
Board of Adjustment

Sec 50-580 (9) Commercial establishments not otherwise classified: One parking space for each 150 square feet of floor space in the building used for retail trade or used by the public, whichever is the greater.

PUBLISH: Thursday, August 14, 2025

EMAIL TO THE ODESSAN: odessannews@gmail.com

08/11/2025

Christi Dickey, Community Development Coordinator

Classifieds

HELP WANTED

We are currently seeking a Part Time Maintenance Technician to join our team! You will be responsible for completing work orders and other required tasks.

Responsibilities:

Complete work and repair orders in a timely fashion.
Estimate time and extent of repairs.
Perform routine preventive maintenance.
Maintain material and supply inventory.

Qualifications:

Previous experience in maintenance or other related fields.
Familiarity with maintenance tools and equipment.
Ability to handle physical workload.
Deadline and detail-oriented.

Contact Jozie Blomquist

j.blomquist@chm-inc.org or call 816-233-4250 ask for Jozie.



FOR SALE

HAY, SMALL square bales, mixed grass, grassy alfalfa, big square and round bales, also straw. Delivery available. 660-287-1770 39tfn

WANTED

Local Investment group. Buying estate jewelry. Gold/silver watches, coins, any condition. Meet at Odessa bank for large amounts. Free appraisals. Cash or check. 816-805-2350 call or text, James.

UNWANTED /NON WORKING lawn equipment, ATV's, go carts, dirt bikes, etc. Anything with a small engine you want gone. Call/text 816-565-1294.

FOR RENT

RV LOTS Large and Shad-

REAL ESTATE

LAKE OF THE OZARKS

Summer Lot Special
- starting at \$5,950, \$200 down and \$100 per month, for building, camping, tiny sheds or own for investment. Great fishing, calm water, swimming, jet skiing, boating, beautiful trees and relaxing. No credit checks, owner financing and immediate possession. Free lake access and boat ramps. Prices good through August 10, 2025.

Hwy 135 between Stover and Sunrise Beach, MO. Take Lake Road 135-12 to the Ivy Bend Land Office. Closed Tuesday and Wednesday

PUBLIC NOTICE

PUBLIC NOTICE

City of Odessa
Code of Ordinances Amendment
"Planned Unit Development"

Notice is hereby given that a public hearing will be held by the **Planning Commission** of the City of Odessa on **Thursday, August 21, 2025, at 7:00 p.m.** at the **Dyer Park Community Bldg., located at 601 W Main Street, Odessa, Mo** for the purpose of hearing interested parties and citizens on the requests by the City of Odessa to amend Chapter 50 of the City of Odessa Code of Ordinances to allow for Planned Unit Development Zoning District.

CITY OF ODESSA

Planning Commission

The **Board of Alderman** of the City of Odessa will also hold a public hearing on the above noted Chapter 50 of the City of Odessa Code of Ordinances, on **Monday, August 25, 2025 at 6:00 p.m. at Dyer Park Community Bldg., located at 601 W Main Street, Odessa Mo** to consider the ordinance and the recommendation of the Planning Commission.

CITY OF ODESSA

Board of Aldermen

Published in *The Odessan*, Odessa, Missouri,
Thursday, July 24, 2025

IN THE CIRCUIT COURT OF LAFAYETTE COUNTY, MISSOURI CIVIL DIVISION

SouthLaw, P.C., as Successor Trustee
Plaintiff,

v.

Athena M. Amsler
AND

The Unknown heirs, executors; administrators, devisees, trustees, creditors and assigns of any deceased defendants; the unknown spouses of defendants; the unknown officers, successors, trustees, creditors and assigns of any defendants that are existing, dissolved or dormant corporations; the unknown executors, administrators, devisees, trustees,

property:

LOTS NUMBERED 28 AND 38, IN JENNINGS SECOND ADDITION, A SUBDIVISION IN ODESSA, LAFAYETTE COUNTY, MISSOURI, AS SAID LOTS APPEAR UPON THE PLAT OF SAID ADDITION OF RECORD IN PLAT BOOK 13 AT PAGE 3 IN THE OFFICE OF THE RECORDER OF DEEDS FOR LAFAYETTE COUNTY, MISSOURI.

Commonly known as 311 S Jennings St, Odessa, MO 64076.

The names of all parties to said action are stated above in the caption hereof and

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ELEVATIONS SHOWN HEREON ARE BASED ON CONTROL MONUMENT LF-22Z
 @ ELEVATION=876.97

BEARINGS SHOWN HEREON ARE GRID BEARINGS BASED ON THE MISSOURI COORDINATE SYSTEM OF 1983, WEST ZONE AND TIED TO CONTROL MONUMENT 1E-22. 2005 OBSERVATION (N. 313614.277 METERS, E. 808147.197 METERS) OF THE MISSOURI GEOGRAPHIC REFERENCE SYSTEM, AS DEVELOPED FROM GPS OBSERVATIONS, A GRID FACTOR OF 0.9999329 WAS USED.

	Existing Proposed	R-3 R-3
Gross Land Area		4.12± ac (179,748± sq ft)
Right-of-way Dedication		N/A
Net Land Area		4.12 ac (179,748± sq ft)
Residential Lots		

	Number of Lots	7
Proposed Tracts	Total Area	3.65± ac (159,051± sq ft)
Tract A: Detention & Private		
Open Space		0.49± ac (20,697± sq ft)
Residential Building Data		
Multi-Family Buildings 7 (6) + plus (1) 31-unit converted school	Units	

Total Buildings 6 ne

Total Units	63
Gross Density	12.86 unit

R-3 DISTRICT STANDARDS

7-01110000

Minimum Lot Size 6,400 sq ft + 2,000 sq ft

Lots 2-7 (4-plex) 12,400 sf

Maximum Building Height	45-ft (3.5 stories)
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Minimum Building Setbacks

Rear 20-ft or 20% of c

Side (interior) Lot 7: 17-ft
10 ft + 3 ft additional

Lots 2-7 (1-story) 10-ft

Lot Width	80-ft + 10 ft for each
Lot 1 (31 unit apartment)	150-ft

Lot Coverage	20-11
	35%

The diagram shows a 2D grid with a central circle labeled '1' and a shaded square labeled 'SITE'.

EROSION CONTROL NOTES

THE DEVELOPER SHALL BE RESPONSIBLE FOR EROSION CONTROL WITHIN THE BOUNDARIES OF THE DEVELOPMENT. EROSION CONTROL MEASURES WILL BE INSTALLED PER APWA STANDARDS. THIS INCLUDES BUT IS NOT LIMITED TO THE INSTALLATION OF SALT FENCE, WHITTLES, SLOPE STABILIZATION, AND INLET PROTECTION.

WATER

SANITARY SEWER

STORMWATER MANAGEMENT

STORMWATER MANAGEMENT

PRIVATE STREETS

FLOOD INFORMATION:
PRIVATE STREETS SHALL BE DESIGNED TO MEET APPLICABLE FIRE CODE AND APWA. ALL PRIVATE ROADS SHALL BE INCLUDED IN DEVELOPERS MAINTENANCE AGREEMENT

DATE OF NOVEMBER 26, 2010 AND IS IN LAFAYETTE COUNTY

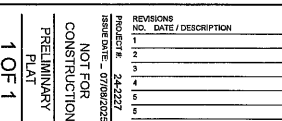
EASEMENTS

AN ACCESS EASEMENT WILL ENVELOPE ALL AREAS 2-FT OUTSIDE THE PROPOSED BUILDING FOOTPRINTS AND WILL SERVE AS COMMON OPEN SPACE FOR THE DEVELOPMENT. ALL AREA WITHIN THESE EASEMENTS WILL BE PRIVATELY MAINTAINED BY THE PROPERTY MANAGEMENT GROUP OR AS DICTATED BY THE COVENANTS AND RESTRICTIONS.

FINAL EASEMENT LOCATIONS AND TYPE

MAINTENANCE OF TRACTS

IRACI "A" SHALL BE USED FOR DETENTION AND PRIVATE OPEN SPACE AND SHALL BE PRIVATELY MAINTAINED.



PREPARED FOR:
The 1912 Development Group, LLC
Adam Couch
(616) 691-4637
mcdinvestmentsllc@gmail.com

[illegible]

POWELL
C W M
ARCHITECTURE/ENGINEERING/SURVEYING
3200 S. State Route 291, Bldg. 1, Independence, MO 64057
816.737.4800 | powellcwm.com

July 14, 2025

Christi Dickey
Administrative Coordinator, Building/Community Development
City of Odessa
228 S. 2nd Street
Odessa, MO 64076

RE: Plan Review
Senior Living at the 1912 – Preliminary Plat Review

Dear Ms. Dickey:

Per your request, Allstate Consultants has completed a review of the aforementioned Preliminary Plat provided to us on July 14, 2025 for compliance with the City of Odessa's Code of Ordinances.

Our review comments are as follows.

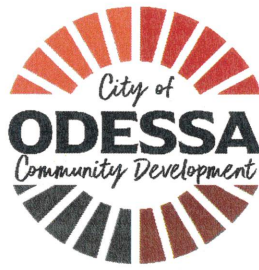
1. Need clarification on the land use table, the existing building to remain appears to be on Lot 7 instead of Lot 1 as indicated in the table. It is assumed the building within Lot 8 is to be removed since plan indicates 1 existing building and 7 new buildings.
2. Per Sec. 50-249,b(1), parking spaces shall be at least 20 feet in length. The City could accept a variance on this item as well as 18-foot parking spaces are common.
3. I do not have any concerns with the variances requested in the R-3 Zoning Standards. A greater portion of the private drive and parking could be included within Lot 7 to get it closer to the required lot size but that does not seem necessary.

Please feel free to contact me with any questions. Thank you.

Sincerely,
Allstate Consultants LLC



Ben Heins, PE



STAFF REPORT
August 21, 2025
Planning & Zoning

File No: PR082125-02
Property Owner: The 1912 Development Group
Site Location: Section 1, Township 48 North, Range
28 West, Odessa, Lafayette County
Project Request: Preliminary Plat / City Ordinance Sec. 42-152,
Staff: Christi Dickey, Community Development Coordinator

Project Description: Preliminary Plat for, a Subdivision in the west half of the northeast quarter of section 1, township 58 north, range 28 west, Odessa, Lafayette County, Missouri

The Preparation: Engineered drawings received from Powell CWM , Jade Rodell-Tipton, PE

Preliminary Plat Review: All State Engineer, Ben Heins, PE. City engineer review is attached

City Ordinance: Sec 50-247 Zoned: R-3 Multi- Family Dwelling District

Request: The Planning & Zoning members agreed to approve the Preliminary Plat with the condition of five additional parking spaces to meet the ordinance requirement and the variance listed. The revised preliminary plat has 15 additional parking spaces for a total of 110 parking spaces. Allstate engineered plan review comments have been addressed in the updated preliminary plat by Powell engineering. There will be no variances required.

Staff Recommendation: Staff recommends the Planning & Zoning Commission approve the preliminary plat for the 1912 Residential Development, provided that all previous staff comments are addressed and resolved to planning commissions satisfaction. The revised preliminary plat has 15 additional parking spaces for a total of 110 parking spaces. Allstate engineered plan review comments have been addressed in the updated preliminary plat by Powell engineering. There will be no variances required.

EROSION CONTROL NOTES

THE DEVELOPER SHALL BE RESPONSIBLE FOR EROSION CONTROL WITHIN THE BOUNDARIES OF THE DEVELOPMENT. EROSION CONTROL MEASURES WILL BE INSTALLED PER APWA STANDARDS. THIS INCLUDES BUT IS NOT LIMITED TO THE INSTALLATION OF SILT FENCE, WATTLES, SLOPE STABILIZATION, AND INLET PROTECTION.

WATER

WATER SERVICE LINES WILL BE PROVIDED IN ACCORDANCE TO APWA, MDNR, AND THE CITY OF ODESSA TO EACH LOT IN THE SUBDIVISION. THE WATER SERVICE LINE SHALL CONNECT TO THE EXISTING WATER LINES AT EACH STREET TO PROVIDE SERVICE.

SANITARY SEWER

A SANITARY SEWER SYSTEM WILL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE TO APWA, MDNR, AND THE CITY OF ODESSA TO PROVIDE SERVICE TO EACH LOT IN THE SUBDIVISION. THE SANITARY SEWER SERVICE LINES WILL BE CONSTRUCTED OF PVC SDR-26. THE SANITARY SEWER SERVICE LINES WILL CONNECT TO EXISTING 8" CITY SEWER MAIN LOCATED ALONG S. RUSSELL STREET. LOT 1 AND LOT 6 SEWER SERVICE LINE WILL CONNECT TO EXISTING CITY SEWER MAIN LOCATED ALONG S. 1st STREET.

STORMWATER MANAGEMENT

A STORM DRAINAGE SYSTEM WILL BE DESIGNED AND CONSTRUCTED PER APWA TO ADEQUATELY SERVE THE SUBDIVISION. THE PROPOSED STORM SEWER WILL DIRECT THE MAJORITY OF RUNOFF FLOW FROM THE DEVELOPMENT TO THE DETENTION POND ON THE NORTH LINE OF THE PROPERTY. THE DETENTION POND WILL ALSO SERVE AS A WATER QUALITY BMP. THE OUTLET CONTROL STRUCTURE WILL BE DESIGNED TO CONTROL RUNOFF FLOW PER CITY OF ODESSA CODE.

PRIVATE STREETS

PRIVATE STREETS SHALL BE DESIGNED TO MEET APPLICABLE FIRE CODE AND APWA. ALL PRIVATE ROADS SHALL BE INCLUDED IN DEVELOPER'S MAINTENANCE AGREEMENT.

FLOOD INFORMATION:

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS LOCATED WITHIN ZONE X OF THE FLOOD INSURANCE RATE MAP NUMBER 29107C0355C, WHICH BEARS AN EFFECTIVE DATE OF NOVEMBER 26, 2010 AND IS IN LAFAYETTE COUNTY.

EASEMENTS

AN ACCESS EASEMENT WILL ENVOLVE ALL AREAS 2-FT OUTSIDE THE PROPOSED BUILDING FOOTPRINTS AND WILL SERVE AS COMMON OPEN SPACE FOR THE DEVELOPMENT, ALL AREA WITHIN THESE EASEMENTS WILL BE PRIVATELY MAINTAINED BY THE PROPERTY MANAGEMENT GROUP OR AS DICTATED BY THE COVENANTS AND RESTRICTIONS

MAINTENANCE OF TRACTS

TRACT "A" SHALL BE USED FOR DETENTION AND PRIVATE OPEN SPACE AND SHALL BE PRIVATELY MAINTAINED

BILL NUMBER: _____

ORDINANCE NUMBER: _____

AN ORDINANCE OF THE CITY OF ODESSA, MISSOURI, CHAPTER 50 OF THE CODE OF ORDINANCES OF THE CITY OF ODESSA, MISSOURI, RELATING TO PLANNED UNIT DEVELOPMENTS.

WHEREAS, pursuant to Chapter 89, RSMo., the Board of Aldermen of the City of Odessa is authorized to regulate the location and use of buildings, structures, and land for trade, industry, residence, and other purposes;

WHEREAS, Chapter 50 of the Code of Ordinances of the City of Odessa, Missouri, does not currently allow for planned developments; and

WHEREAS, the Board of Aldermen now desires to amend Chapter 50 to allow for a planned unit development zoning district;

WHEREAS, the Planning and Zoning Commission held a public hearing on August 21, 2025, for which notice was properly published in *The Odessan* on July 31, 2025, and all those who were interested and wishing to testify were given the opportunity to do so;

WHEREAS, upon conclusion of the public hearing, the Planning and Zoning Commission recommended approval of this Bill No. _____.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF ODESSA, MISSOURI, AS FOLLOWS,

SECTION 1. That a new Division 20 – Planned Unit Development is created within Article II, Chapter 50 of the City Code to read as follows:

Chapter 50 – Zoning, Article II – District Regulations
Division 20 – Planned Unit Development

Section 50-555. Planned Unit Development.

- A. *Purpose.* The purpose of the Planned Unit Development (“PUD”) is to encourage the unified design of residential, commercial, office, professional services, retail and institutional uses and facilities or combinations thereof in accordance with an approved planned unit development plan. This district allows for flexibility and latitude in the placement of buildings and structures, use of open and green space, pedestrian-friendly uses, and variations of zoning regulations found throughout this Chapter. The district allows variations of the zoning regulations contained within Chapter 50 in exchange for open and green space and pedestrian-friendly improvements to the district.
- B. *Permitted Uses.* Any use listed in this Section 50-555 may be permitted. However, each use must be listed within the PUD concept plan and the PUD final plan.

- (1) Any use permitted by this Chapter 50.
- (2) Any accessory buildings, accessory structures, or accessory uses customarily incidental to any use permitted by this Section when the permitted use is located on the same lot as the accessory building, structure, or use.

C. *Development Standards.* Minimum standards for developments in this district are set forth as follows:

- (1) The PUD district in this Chapter is a floating zone. The location of a proposed PUD district must be carefully reviewed to ensure that the requirements of this Division can be met.
- (2) Approval of a PUD final plan shall constitute a rezoning to the PUD district.
- (3) Applications for PUD concept plan and PUD final plan shall be submitted by each applicant for PUD zoning in accordance with the provisions and conditions outlined herein.
- (4) Unified control. The proposed planned development district shall be limited to parcels that are under the single control of an entity who is responsible for completing the proposed development. This provision shall not prevent a transfer of ownership or control after the development has been completed in accordance with the PUD final plan.
- (5) The PUD concept plan and PUD final plan shall be in general conformity with the spirit and intentions of this Chapter and any other adopted policy resolutions or ordinances.
- (6) The PUD shall not have a substantially adverse effect on the development of the neighboring area.
- (7) Common open space within a PUD district is encouraged to serve as an environmental amenity or to provide recreational or aesthetic benefit for the collective enjoyment of the development's occupants. Examples of common open space may include parks, greens, commons, natural areas, preserved woodlands, recreational trails or walking paths, playgrounds, play courts, stormwater detention areas designed with landscaping and accessible green space, plazas, courtyards, outdoor seating areas, community gardens, or clubhouse lawns, pools, and recreational areas. Open space areas should be designed and located to be

easily accessible to residents or users of the development. The location, design, and type of open space shall be reviewed to ensure the open space aligns with the goals of the development and provides meaningful benefit to its occupants. Common open space and facilities shall be owned and maintained by a legally established homeowners association, special district, or other approved entity to ensure continued upkeep and benefit to residents.

- (8) Existing trees, groves, waterways, scenic viewpoints, historic sites, and other natural landmarks shall be preserved whenever feasible. The location of significant trees and natural features must be taken into account when designing open spaces and planning the placement of buildings, underground utilities, walkways, paved areas, playgrounds, parking, and grading. Excessive clearing of topsoil, trees, and natural elements is discouraged to maintain the character and environmental quality of the site. A comprehensive landscaping plan shall be submitted and approved for all PUDs to ensure proper preservation and enhancement of natural features.
- (9) Main vehicle entrances should allow smooth traffic and safe turning, minimizing risks to drivers and pedestrians. Minor streets inside the PUD should not connect to outside local streets in a way that encourages through traffic. Pedestrian paths should be kept separate from vehicle roads as much as possible. Pedestrian overpasses or underpasses near schools, playgrounds, shopping, and other busy pedestrian areas may be required. Nonresidential uses must have direct access to major streets or frontage roads, especially where there are large parking lots.
- (10) No structure within a PUD district that is located adjacent to a residential (R1) or (R2) zoning district shall exceed three and one-half (3.5) stories or forty-five (45) feet in height, regardless of the proposed use. Additional setbacks, screening, or transitional elements for taller structures to ensure compatibility with adjacent development may be required. In evaluating height, aesthetic design, architectural style, and potential adverse effects on surrounding properties may be considered, and height may be allowed or restricted accordingly to achieve a cohesive and context-sensitive development.
- (11) Each PUD district shall be designed to provide reasonable visual and acoustical privacy for dwelling units. The use of fences, landscaping, walls, or other appropriate barriers shall be incorporated for the protection of property, enhancement of aesthetics, and preservation of privacy, as well as to screen objectionable views or uses and to reduce noise. High-rise buildings, as defined as

structures greater than 3.5 stories or 45 feet, if included, shall be located within the development in a manner that minimizes adverse impacts on adjoining low-rise buildings and protects the privacy of their occupants. Yard, setback, lot size, dwelling unit type, building height, frontage, and use restrictions may be modified from the standards typically required for the type of use proposed, provided the overall development plan upholds the general spirit and intent of zoning.

- i. To ensure appropriate transition to adjacent properties, all PUD developments shall provide either:
 - 1. A minimum 50-foot perimeter setback around the entire development; or
 - 2. An adequate transition barrier, such as fencing, berms, landscaping, or other buffering treatments.
- ii. If topographical or other existing features do not provide reasonable privacy or buffering for adjoining uses, additional screening, setbacks, or other mitigation measures to protect adjacent properties may be required.

(12) Within a PUD district, minimum front, side, and rear setbacks, lot coverage, and lot size requirements may be reduced from the dimensional standards typically required for the type of use proposed, provided that the PUD incorporates additional green space in an amount equivalent to the total area reduced. This additional green space shall be designed for active or passive recreational use, aesthetic enhancement, or environmental benefit. The purpose of this provision is to ensure that any increase in building intensity or density is balanced by meaningful open space and site amenities.

(13) The City shall bear no cost for infrastructure and improvements necessary to serve a PUD district. PUD concept plans shall not be approved unless adequate facilities—such as water lines, sanitary sewer lines, and major streets—exist in sufficient capacity to serve the development without overloading existing systems or creating undue traffic impacts on local residential streets. If such facilities do not currently exist or are insufficient, the applicant shall be responsible for installing or upgrading them at their own expense to ensure the PUD is properly served. All stormwater management facilities shall be designed by applicable City and State standards to prevent adverse impacts on adjacent properties or public infrastructure.

- i. If public facilities are included in the PUD, the facilities shall comply with all applicable City Codes and standards for public infrastructure. The City shall require a payment bond, performance bond, and a maintenance bond in an amount

equal to the value of the public infrastructure and public facilities to be constructed. The bonds shall be required prior to work beginning on the facilities.

(14) In no case shall a PUD district be less than two acres in size.

D. The PUD district may be established exclusively for residential, commercial or industrial development or any combination of those types of development.

Section 50-556. Planned Unit Development Review.

This Section sets out the required review and approval procedures for planned unit developments.

A. *Overview Of Process.* The PUD review process involves at least two (2) steps: PUD concept plan review and PUD final plan review. Land may need to be subdivided in order to carry out a PUD plan. The subdivision process, however, is a separate process, although it can run concurrently with (or following the conclusion of) the PUD review process of this Division.

(1) *PUD concept plan review.* During PUD concept plan review, the PUD concept plan application is reviewed with respect to such issues as density, including the number, type and location of dwelling units, primary structures and other uses; impacts on surrounding areas; and the adequacy of facilities and services. The result of this review is the establishment of the basic parameters for the development of the PUD project. PUD concept plan approval establishes the maximum development envelope for the project with regard to density, number of structures on a single lot, lot sizes, setbacks, overall scale, open space, pedestrian uses, environmental protection and other land development service provision issues.

(2) *PUD final plan review.* The PUD final plan review stage is the point where applicants bring forward detailed plans for carrying out the type of project approved conceptually during the PUD concept plan review. The applicant must submit the detailed and technical information necessary to demonstrate that all applicable standards, requirements and conditions have been met. Approval may only be granted if the PUD final plan is in substantial conformance with the approved PUD concept plan.

B. *Applications.* Applications for PUD concept plans and PUD final plans shall include the following:

- (1) Filing fee;
- (2) Legal description of all parcels included in the proposed PUD;
- (3) The present zoning district of all parcels included in the proposed PUD;
- (4) The typewritten names, addresses and contact information of all owners of all parcels included in the proposed PUD and their designated representative, if any;
- (5) The signatures of all owners, or their designated representative, if any;
- (6) If a designated representative is utilized, notarized proof of designated representative authorization from the owner;
- (7) The names of all property owners within 185 feet of the boundaries of the proposed PUD;
- (8) A preliminary stormwater management plan that demonstrates how stormwater will be controlled and treated on site, consistent with applicable City codes and stormwater management regulations.
- (9) Proposed plan for the development of the PUD, which shall include the following information and supporting maps:
 - i. Existing site conditions, including contours at two-foot to five-foot intervals, watercourses, floodplains (100-year flood elevations), unique natural features, and forest cover.
 - ii. Proposed lot lines and plot designs. In a PUD district, the final lot lines or plot plan requirement may be waived, considering the flexibility needed by the developer to size lots to meet individual project needs. If lot lines are waived, the PUD site plan and other documentation must specify minimum permissible lot sizes.
 - iii. Location and floor area size of all existing and proposed buildings, structures, and other improvements, including maximum heights, types of dwelling units, density per type, and nonresidential structures (commercial, industrial, and public facilities).

- iv. Location and size (in acres or square feet) of all areas to be conveyed, dedicated, or reserved as common open spaces, public parks, recreational areas, school sites, and other public or semipublic uses.
- v. Existing and proposed circulation system for arterial, collector, and local streets, including off-street parking, service and loading areas, and major points of access to public rights-of-way (including ingress and egress).
- vi. Existing and proposed pedestrian circulation system, including its interrelationship with vehicular circulation and proposed treatments at points of conflict.
- vii. Existing and proposed utility systems, including sanitary sewers, storm sewers, water, electric, gas, and telecommunications lines.
- viii. General landscape plan, indicating treatments and materials used for private and common open spaces.
- ix. Information on adjacent land, including land uses, zoning classifications, densities, circulation systems, public facilities, and natural features to show relationships between the PUD and surrounding areas.
- x. Proposed perimeter treatment, such as screening, fencing, walls, and other buffers.
- xi. Any other requirements necessary for the development of the PUD that may be required by this Chapter or other City Codes.
- xii. Any additional information or documents the City may require to evaluate the character and impact of the proposed PUD.
- xiii. Proposed timeline and, if applicable, phasing plan for development.

C. PUD Concept Plan.

- (1) *Pre-application conference.* Before submitting a PUD concept plan application, the applicant shall confer with the Community Development Coordinator or their designee and other City staff as may be necessary, determined by the Community Development Coordinator. The purpose of this pre-application conference is to

discuss the proposal and the applicable development review and approval procedures.

(2) *Purpose of PUD concept plan.* A PUD concept plan is a generalized land use plan for the entire area proposed to be included within a PUD, which may be a single lot or multiple lots. The purpose of a PUD concept plan is to allow very early review of a proposed PUD plan before substantial technical planning work has been undertaken.

(3) *Procedure.* The process for PUD concept plan review shall be as follows:

- i. Upon receipt of a completed application, the Community Development Coordinator or their designee shall review the application for compliance with this Chapter. The Community Development Coordinator shall place the application on the Planning and Zoning Commission's agenda within 60 days of verification of an application in compliance with this Chapter, as long as such placement on the agenda allows for adequate public notice.
- ii. The Planning and Zoning Commission shall review and consider the application and hold a public hearing on such application. Fifteen (15) days' notice of the time and place of such hearing shall be published in an official paper or paper of general circulation in the city. A mailed notice shall be provided to all property owners within one hundred and eighty-five (185) feet of the boundaries of the proposed PUD. Upon conclusion of the public hearing, the Planning and Zoning Commission shall make a recommendation to the Board of Aldermen to approve, deny, or approve the application with conditions.
- iii. Upon receipt of the Planning and Zoning Commission's recommendation, the Board of Aldermen shall review and consider the application. The Board of Aldermen may approve, deny, or approve the application with conditions. The Board of Aldermen may alternatively remand the application to the Planning and Zoning Commission for further review.

(4) *PUD concept plan review criteria.* Applications for PUD concept plan approval may be approved if the following criteria are met:

- i. The plan represents an improvement over what could have been accomplished through strict application of otherwise applicable base zoning district standards based on the purpose and intent of this Chapter;

- ii. The PUD concept plan is in conformance with the PUD standards of Section 50-555 and all ordinances and regulations of the City;
- iii. The existing or proposed utility services are adequate for the proposed development;
- iv. The development is consistent with and implements the planning goals and objectives of the City as contained in the City Code and any other adopted policy resolutions or ordinances;
- v. The PUD concept plan is consistent with good general planning practice and the development will promote the general welfare of the City;
- vi. The proposed stormwater management plan adequately addresses both stormwater quantity and quality in relation to the PUD and adjacent properties, and complies with applicable stormwater ordinances; and
- vii. The PUD concept plan does not negatively affect the aesthetics, vehicular traffic pattern, or pedestrian uses of the users and uses within adjacent districts.

(5) *Effect of PUD concept plan approval.* Approval of a PUD concept plan shall constitute acceptance of the overall general planning concepts for the proposed PUD development and is a prerequisite for the filing of a PUD final plan.

(6) *Lapse of PUD concept plan approval.* An approved PUD concept plan shall lapse and be of no further force and effect if a PUD final plan for the PUD has not been approved within two (2) years of the date of approval of the PUD concept plan.

(7) *Withdrawal.* An applicant may withdraw an application for a PUD concept plan at any time.

D. *PUD Final Plan.*

(1) *Pre-application conference.* Before submitting a PUD final plan application, the applicant shall confer with the Community Development Coordinator or their designee and other City staff as may be necessary, determined by the Community Development Coordinator. The purpose of this pre-application conference is to discuss the proposal and the applicable development review and approval procedures.

(2) *Purpose of PUD final plan.* A PUD final plan is a final version of the PUD concept plan for the entire area proposed to be included within a PUD. The purpose of a PUD final plan is to verify that the PUD final plan complies with the PUD concept plan after substantial technical planning work has been undertaken.

(3) *Procedure.* The process for PUD final plan review shall be as follows:

- i. Upon receipt of a completed application, the Community Development Coordinator or their designee shall review the application for compliance with this Chapter and the PUD concept plan. The Community Development Coordinator shall place the application on the Planning and Zoning Commission's agenda within 60 days of verification of an application in compliance with this Chapter, as long as such placement on the agenda allows for adequate public notice.
- ii. The Planning and Zoning Commission shall review and consider the application and hold a public hearing on such application. Fifteen (15) days' notice of the time and place of such hearing shall be published in an official paper or paper of general circulation in the city. Upon conclusion of the public hearing, the Planning and Zoning Commission shall make a recommendation to the Board of Aldermen to approve, deny, or approve the application with conditions.
- iii. Upon receipt of the Planning and Zoning Commission's recommendation, the Board of Aldermen shall review and consider the application. The Board of Aldermen may approve, deny, or approve the application with conditions.

(4) *PUD final plan review criteria.* A PUD final plan may be approved if it is determined to be in substantial compliance with the approved PUD concept plan. The PUD final plan may be deemed to be in substantial compliance with the PUD concept plan as long as, when compared with the PUD concept plan, it does not result in:

- iv. An increase of ten percent (10%) or more in density or intensity, including the number of housing units per acre or the amount of non-residential floor area per acre;
- v. A change in the mix of housing types or the amount of land area devoted to non-residential uses;

- vi. A reduction in the amount of open space;
 - vii. Any change to the vehicular system that results in a significant change in the amount or location of streets, common parking areas and access to the PUD;
 - viii. Any change within fifty (50) feet of a residential district or less intensive zoning district;
 - ix. Any change determined by the Planning and Zoning Commission to represent an increase in development intensity;
 - x. A change in use categories; or
 - xi. A substantial change in the layout of buildings.
- (5) *Effect of approval — lapse of approval.* Approval of a PUD final plan shall constitute a rezoning and shall confer upon the applicant the right to develop the subject property in accordance with the approved PUD final plan. The right to develop in accordance with an approved PUD final plan shall lapse and be of no further effect if all development shown on the PUD final plan is not complete within the time frame, including timelines for phases, established by the approval of the PUD final plan. Once approval lapses, the PUD final plan is no longer valid and shall have no further force and effect. If approval lapses, on further development shall be allowed on the parcels included in the PUD final plan until the parcels have been rezoned to a non-PUD district or until a new PUD concept plan and PUD final plan have been approved in accordance with this Chapter.
- (6) *Withdrawal.* An applicant may withdraw an application for a PUD final plan at any time.

E. Modifications and Amendments to Approved PUD Plans.

- (1) Minor Modifications: Minor changes to an approved PUD final plan that do not materially alter the approved density, intensity, land use mix, layout, or public facilities may be approved administratively by the Community Development Coordinator or their designee, without requiring a public hearing or further review by the Planning and Zoning Commission or Board of Aldermen.
- (2) Major Amendments: Any changes to the approved PUD final plan that exceed the thresholds for substantial compliance outlined in subsection D(4) (e.g., increases

in density over 10%, changes to land uses, reductions in open space) shall require submission of an amended PUD final plan and be subject to the full PUD final plan review process, including public hearings before the Planning and Zoning Commission and Board of Aldermen. Major amendments also include modifications relating to changes to the number or order of phases, timelines, or the scope of required improvements.

- (3) Reapplication after Denial: If a PUD amendment application is denied, the applicant may not resubmit substantially similar applications for six (6) months from the date of denial, unless substantial changes are made to address the reasons for denial.

F. Phasing of Development.

- (1) For PUDs proposed to be developed in phases, the applicant shall submit a detailed phasing plan as part of the PUD concept plan application and the PUD final plan application. The plan shall include the reason for requesting phasing, a timeline, the scope of improvements for each phase, and an explanation of how each phase will function both independently and in conjunction with other phases.
- (2) The phasing plan shall be reviewed based on the adequacy of proposed sequencing, public infrastructure delivery, and overall coordination with the City's development goals.
- (3) Each approved phase must be constructed in accordance with the final approved plans and completed within the timeline set forth in the phasing schedule.
- (4) Each phase shall be completed in accordance with the PUD concept plan and in compliance with all City Code provisions prior to initiation of the next phase.

Sec. 50-557–50.574. – Reserved.

SECTION 2. Division 19 – Accessory Uses and Structures, Sec. 50-549 – 50-574. – Reserved. Shall read as follows:

Sec. 50-549 – 50-554. – Reserved.

SECTION 3. Appendix A to the City Code shall be amended to include the filing fee of \$250 plus notice fee for applications for PUD concept plans and PUD final plans.

SECTION 4. That all ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

SECTION 5. That this Ordinance shall be in full force and effect from and after its passage and approval.

SECTION 6. That should any section, sentence or clause of this Ordinance be declared invalid or unconstitutional, such declaration shall not affect the validity of the remaining sections, sentences or clauses.

SECTION 7. That the City Clerk is hereby authorized to correct any scrivener's errors contained herein.

READ TWICE and passed by the Board of Aldermen of the City of Odessa, Missouri, and approved by the Mayor of Odessa this _____ day of _____, _____.

Bryan Barner, Mayor

ATTEST:

Karen Findora, City Clerk