

**AN ORDINANCE CHANGING ZONING CLASSIFICATION FOR CERTAIN REAL ESTATE FROM R-1 (SINGLE FAMILY RESIDENTIAL) TO MU-1 (MIXED USE) FOR PROPERTY LOCATED AT 201 S. BENTON STREET IN WAYNESVILLE, MISSOURI; FIXING AN EFFECTIVE DATE**

**WHEREAS**, a petition requesting a change in the zoning classification of the hereinafter described real property located within the City of Waynesville, Missouri has been duly filed by Joe Kastrinakis with the City Clerk; and

**WHEREAS**, the said petition has been referred to and considered by the Planning and Zoning Commission of the City of Waynesville; and

**WHEREAS**, the Planning and Zoning Commission has conducted a public hearing on the said proposed request for zoning classification; and

**WHEREAS**, notice of the said public hearing (including a description of the real estate involved and of the proposed changes in the zoning classification of such real estate) has been given by legal notice published in the Dixon Pilot, a newspaper having general circulation in Pulaski County, Missouri, which legal notice was published at least fifteen days prior to the date of said public hearing; and

**WHEREAS**, the City Council has considered the request and recommendation of the Planning and Zoning Commission submitted following the said public hearing; and

**WHEREAS**, no protest against such proposed change has been made in the manner provided by law; and

**WHEREAS**, the proposed rezoning will not adversely affect the safety, traffic and general welfare of the City and, in fact, the proposed rezoning will enhance the general welfare of the City; and

**WHEREAS**, the City Council hereby determines that it is the best interest of the City for the requested changes in zoning classification to be approved.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WAYNESVILLE, MISSOURI AS FOLLOWS:**

**SECTION 1.**

The zoning classification of the real property described in Exhibit "A" which is attached hereto and made apart hereof by reference as fully as if set forth herein hereby changed from its present classification of Single Family Residential (R-1) to the new classification of Mixed Use (MU-1).

**SECTION 2.** This Ordinance shall be in full force and effect from and after its passage and approval.

**PASSED AND APPROVED BY THE MAYOR AND CITY COUNCIL ON THIS 15<sup>th</sup>, DAY OF JUNE, 2023.**



Sean A. Wilson, Mayor

ATTEST:



Michele Brown, City Clerk





**THE CITY OF WAYNESVILLE**  
Public Works/Building Department

100 Tremont Center  
Waynesville, MO. 65583  
Phone: (573) 774-6171

REZONING REQUEST APPLICATION		
Date: 15 April 2023	PROPERTY LOCATION: 201 S Benton St., Waynesville	
<b>APPLICANT INFORMATION</b>		
Applicant Name: Joseph Kastrinakis	Phone: 413 539 1037	Homeowner: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Applicant's Address: SAME AS ABOVE		
Applicant's Legal Interest in the Property: CURRENT OWNER/ OCCUPANT.		
<b>OWNER INFORMATION</b>		
Name: (If different from applicant)	Deed Reference No: 5373	
Address: (If different from applicant)	Date Property Acquired: Nov 16, 2017	
<b>PROPERTY INFORMATION</b>		
Tax Map Number: 0507360001, District 'PR 6'	Parcel Number: 116024003012017002	
Area (square feet or acres): 0.776	Current Land Use Classification: R-1: SF RESIDENTIAL	
<b>ZONING REQUEST INFORMATION</b>		
Existing Zone: R-1: SINGLE FAMILY RESIDENTIAL	Requested Zone: MU-1: MIXED USE- LOW	
Reason for zoning change and a statement regarding the changing conditions, in the area and in the City, that makes the proposed rezoning request reasonably necessary to the promotion of the public health, safety and general welfare of the public:		
<p>201 S BENTON ST. SITS ON THE HILL OVERLOOKING THE HISTORIC DOWNTOWN CENTER OF WAYNESVILLE BEHIND THE LOCAL COMMERCIAL "STRIP" OF BUSINESSES. THE 1956 BRICK BUILDING IS A PROMINENT LANDMARK OF THE MORGAN FAMILY IN WAYNESVILLE. WE WOULD LIKE TO PRESERVE IT'S LOCATION AND USE IN ORDER TO INTEGRATE THE PROPERTY INTO THE DOWNTOWN ECONOMIC DEVELOPMENT. CURRENTLY, THE WALKOUT BASEMENT IS BEING USED AS STORAGE SPACE FOR BUILDING SUPPLIES/ MATERIALS FOR MY GENERAL CONTRACTING BUSINESS. WITH THE PROPERTY RE-ZONED TO "MIXED USE: LOW DENSITY", THIS WOULD ALLOW FLEXIBILITY IN PERMITTING SHORT TERM/ LONG TERM RENTAL USE OF THE STRUCTURE. THE MIXED-USE RE-ZONING WOULD PROVIDE HISTORIC ROUTE 66 TRAVELLERS AND MILITARY GRADUATE FAMILIES A HISTORIC HOME RIGHT DOWNTOWN TO ENJOY, WITH DIRECT ACCESS TO ALL OF THE DOWNTOWN BUSINESSES AND AMMENITIES. NO EXTERIOR CONSTRUCTION WILL BE NECESSARY. DRIVEWAY AND STREET PARKING AVAILABLE FOR OCCUPANTS/ GUESTS.</p> <p>THE MIXED USE DESIGNATION WOULD ALLOW THE PROPERTY TO BE 'INTEGRATED' INTO THE HISTORIC TOWN OF WAYNESVILLE FOR YEARS TO COME. THIS WOULD PROMOTE THE GENERAL ECONOMIC DEVELOPMENT OF THE DOWNTOWN AREA AND POSE NO SAFETY/ PUBLIC HEALTH CONCERNS TO NEIGHBORING PROPERTIES.</p>		



**PROPERTY OWNERS WITHIN 185 FEET**

List the adjoining property owners within 185 feet of the property in question. *Note: where the property is bound by a street, alley, stream or similar boundary, the land owner across such boundary shall also be considered an adjoining land owner.*

To find listings of adjoining property owners, follow these steps:

1. Go to the Pulaski County Assessor's Office at 301 Historic Route 66 East, Suite 117, show the attendant the parcel number of the property and ask the clerk to look up the owner's names, parcel numbers and addresses for the lots within 185 feet on all sides of the property.
2. Access Pulaski County's GIS mapping system at [Pulaski County GIS](#) and search for the property either by address, owner name or parcel number. Note all of the properties that surround the property by clicking on each plot. You may access a report regarding each plot which will list the owner's name and the parcel number of the property. Note if no address is listed.

PLEASE NOTE: ACCURACY IS VERY IMPORTANT. IF SOMEONE WITHIN 185 FEET OF THE PROPERTY IN QUESTION FAILS TO GET NOTIFIED, THE REQUEST MAY BE VOIDED EVEN IF THE COMMISSION VOTES IN YOUR FAVOR. APPLICATIONS WILL NOT BE ACCEPTED WITHOUT THE PROPER ADDRESS LIST.  
(Use additional sheets if necessary)

NAME	PARCEL NUMBER	ADDRESS
SEABAUGH BETTY S	116024003014025000	110 S BENTON ST.
SEABAUGH BETTY S	116024003014025000	112 S BENTON ST.
MENNEMEYER MICHAEL & SHERI	116024003013001000	200 S. BENTON ST.
THEBERGE DONALD	116024003013013000	202 S BENTON ST
DEKORSEY REBECCA A	116024003012020000	203 S BENTON ST
HALVORSON RICHARD G	116024003013012000	204 S BENTON STREET
FALGE JESSE C & ADRIANNE S	116024003012021000	205 S BENTON ST
WE CAN DEVELOPMENT LLC	116024003012017001	VACANT LOT: 1.009 AC.
BEATTY ALBERT & CAROLYN	116024003012022000	305 FORT ST
PELEZO AMBER D	116024003012026000	307 FORT ST
UNDERWOOD MICHELLE	116024003012027000	401 FORT STREET
FOLKERT MICHAEL	116024003012028000	208 LYNN ST
STEWART SHAUN P	116024003012029000	206 S LYNN STREET





**LEGAL DESCRIPTION AND OWNER/AGENT STATEMENT**

**Legal Description: (Attach additional pages if necessary)**

(Metes and bounds description accompanied with a plat or survey of the parcel)

To Wit:

"LOT B - ADMIN AMEND OF LOTS 5-10 PT LOTS 11 & 12 BLK 8 ORIGINAL TOWN OF WAYNESVILLE"

**Owner/Agent Statement:**

I, JOSEPH KASTRINAKIS being the Owner or the Agent acting on behalf of the Owner, request that the attached application for re-zoning request, for the property located at 201 S. BENTON ST., be placed on the agenda of the Planning & Zoning Committee meeting scheduled for MAY 9TH, 2023 @ 5:30pm.

Furthermore, I verify that all of the information presented by me in this application is accurate to the best of my knowledge, information and belief. I authorize the City of Waynesville to place a sign on the property in question for the purpose of alerting the General Public of my request, no less than seven (7) days prior to the meeting.

Lastly, I understand that failure to address any item in these requirements may result in the rezoning request not meeting the minimum requirements of the Planning & Zoning Commission. If that is the case, I understand that the application will be returned to me for revision and resubmission at the next regularly scheduled meeting of the Planning & Zoning Commission.

**Note: Agents acting on behalf of the property owner(s) must submit a notarized letter from the property owner(s) which gives them the authority to act on their behalf.**

Signature of Applicant:

*Joe Kastrinakis*

Date:

15 APRIL 2023

FOR OFFICE USE ONLY

Received By \_\_\_\_\_

Date \_\_\_\_\_

Date of Hearing \_\_\_\_\_

Approved

Resubmission

Date of Final Decision \_\_\_\_\_

Approved

Not Approved





## NOTICE OF PUBLIC HEARING

A PUBLIC HEARING before the Planning and Zoning Commission of the City of Waynesville, Missouri is scheduled to be held at 5:30pm, Tuesday, June 13, 2023, in the Council Chambers at City Hall, 100 Tremont Center.

The purpose of this hearing is to consider a Rezoning Request from R-1 (Single Family Residential) to MU-1 (Mixed Use- Low) for the property located at 201 S Benton Street, Waynesville, MO 65583.

Any person interested in the matter may appear at the Public Hearing and present testimony or other evidence. After a Public Hearing, the Planning and Zoning Commission may, at its option, make a recommendation on the request to be presented to City Council.

Nathan Carmon  
City of Waynesville  
Building Official  
Building2@waynesvillemo.org

#22-21c

2x3  
#22 & #23  
5-31-23  
6-7-23

Cost: \$36.00 per week  
\$72.00 total

Needs affidavit of  
publication.

Will mail to:  
City of Waynesville  
100 Tremont Center  
Waynesville MO 65583