



TANEY COUNTY PLANNING COMMISSION

P. O. Box 383 • Forsyth, Missouri 65653
Phone: 417 546-7225 / 7226 • Fax: 417 546-6861
website: www.taneycounty.org

MINUTES
TANEY COUNTY PLANNING COMMISSION
PUBLIC HEARING
MONDAY, APRIL 14, 2008, 7:00 P.M.
ASSOCIATE CIRCUIT COURT, DIVISION II COURTROOM
TANEY COUNTY COURTHOUSE

Call to Order:

Chairman Sarah Klinefelter called the meeting to order at 7:00 p.m. A quorum was established with eight members present. They were: Sarah Klinefelter, Shawn Pingleton, Jim Brawner, Joey Staples, Randall Cummings, Ray Edwards, Craig Trotter, and Mark Blackwell. Staff present: Eddie Coxie, Marla Pierce, Bonita Kissee, Dan Nosalek, Keith Crawford, and Bob Paulson.

Eddie Coxie read a statement explaining the meeting procedures.

Public Hearings:

Soup Shop: postponed from last meeting, Stan Kolar requests approval to operate a small restaurant to be open for breakfast, lunch and dinner located at 9383 East St. Hwy. 76. Mr. Coxie read the staff report and presented pictures and a video of the site. Mrs. Klinefelter clarified the request. Mr. Kolar explained the hours planned for operation. Mr. Coxie explained the parking requirements. Mr. Kolar will not live on premises. Regular food will be served as well as some specialty foods. MoDot has previously approved a commercial access. The sewer district has been notified and a new system is planned. With no other discussion this project will proceed to final vote next week.

Ron's Storage and Sales Lot: a request by Ron Todd to store boat trailers on property located at Paradise Lane in Arcadia Landing Subdivision Lots 1-13 Block 20 Clevenger Cove Road. Mr. Coxie read the staff report and presented pictures and a video of the site. Mike Moss who lives at Emerald Point directly behind this site was present to represent various property owners at Emerald Point and Arcadia Landing Subdivision. He presented pictures from various lots looking down on this property and voiced concerns regarding declining of property values, and obstructing the view. He asked the Commission to look at this request from his point of view and ask that a decision be expedient. Steve Danner another property owner looking down on this property discussed compatibility. He also pointed out that to approve this request would be to reward the applicant for not following the rules of the Code. Mr. Danner reported that there are other things within the trees on Mr. Todd's property that should

not be there. James Wegan a resident of Emerald Point spoke in opposition to the request for the same reasons mentioned and presented a petition from other property owners in Emerald Point. He asked that the Commission look at the 600' rule and think about extending that especially for gated communities. Mr. Todd addressed the concerns from the property owners and stated that he has owned his property for 15 years and all the lots were not big enough to build a residence on, and that is why he bought them for storage purposes. Emerald Point did not exist when he bought his property, and feels he also has certain rights. There were no rules in the covenants stating that boat trailers cannot be stored on the property. In Mr. Todd's opinion he could conceivably store three trailers on each lot and still comply with the Code. This request is not for a sales lot, only for storage. The inventory is overstock items purchased to sell and will fluctuate. Mrs. Klinefelter asked for a maximum number of trailers to be stored. Mr. Todd answered that it could be up to 50. Mr. Todd reported that no changes to the land will be made. There is a gas tank for storage of extra fuel for his business on another lot. With no other discussion this project will proceed to final vote next week.

Crossland Storage, LLC: a request by Jim Schmig to construct additional storage to the existing business located at 278 Jefferson Road which turns off the Hwy. 65 outer road. Mr. Coxie read the staff report and presented pictures and a video of the site. Mr. Schmig explained the location of the request and stated there is 14 acres at this site. The parking lot will be chat. A site plan was presented. This project will proceed to final vote next week.

Bee Creek Multi-Use Complex: a request by Missouri Partners, Inc. requests approval to develop a multi-use residential/commercial office complex located off Bee Creek Road. Mr. Coxie read the staff report and presented pictures and a video of the site. Steve Redford addressed questions from the Commission. Mrs. Klinefelter clarified the request. This project will have amenities. There is an existing house and pool on the property which will be renovated to be used as the clubhouse. Taney County Sewer will provide capacity to this project and Public Water Supply #3 will serve the water. There will be no access to St. Hwy. 65 or from Jim Perry Road. There will be two accesses both from Bee Creek Road. Mr. Redford compared the project to Cozy Cove. This project will be dense because of the high cost of the property. The structures will be single story and low rise in height. A 2.2 acre lake will act as an amenity and as detention. Eddie Wolfe addressed the location of a driveway which crossed the property and stated that there is a recorded easement. Two parking spaces for each unit is planned. There will not be any nightly rental. Mr. Wolfe discussed density with the Commission and stated that the Code does not address density regarding townhomes and wanted to know if they saw any problem with this project so the density issue could be addressed up front.

Discussion followed. He offered to bring full sized site plans by the next meeting. This project will proceed to final vote next week.

Verizon Wireless SSL Tower: a request by Buddy Roberts to allow Verizon Wireless to place a communications tower on his property located off Coy Boulevard. Mr. Coxie read the staff report and presented pictures and a video of the site. No one signed up to speak. There was no discussion.

Addition of Well #6 and Storage Facility Tri-State Utilities: a request by Harold and Sharon Epps to place a storage facility and well house for Tri-Lakes Utilities located off Skyview Dr. This request is to provide added capacity for more customers in their service area. Mr. Coxie read the staff report and presented pictures and a video of the site. The easement leading to the request is 8'. Sharon Epps presented preliminary site plans and a 10 year master plan of the request. Mrs. Epps reported that the road is not maintained by anyone, so it remains an unnamed public road. The Public Service Commission is the entity that governs this type of privately owned business. Mr. Coxie addressed the question of height for this tower. Mr. Paulson reported that public service entities would be exempt from the ordinance. Jerry Jesky of Scott Consulting Engineers gave a report on studies done by his firm and stated that a new well is needed to serve the customers. He stated that a tank needed to be tall enough to provide pressure to the customers below, because they are in a low lying area. This site also needs to be a certain distance from other wells. A private utility does not have the privilege of eminent domain in order to obtain property. The tank planned will be 90' tall. Private utilities have certain territories that they are bound to serve according to Mr. Jesky who reported that a 10 year study has been done and this tank is projected to be able to serve through the 10 year period. Mr. Coxie asked for an explanation of the gas chlorine facility. Mr. Jesky stated that the room is equipped with safeguards to prevent any catastrophic disasters. He then explained where the lines would run. There will be 1200 feet of water line improvements. Tri-States will improve the road easement leading to the tank. Tonya Hensley O'Neill who lives adjacent to this property was concerned with property values, the easement road, and traffic to and from the tower. Mr. Jesky reported that the tower would look like a tall stand pipe. Mrs. Klinefelter suggested that Mr. Jesky talk to Ms. O'Neill after the meeting. LouAnne Danner who acted as the real estate agent for Tri-State Utilities, reported that she could provide a copy of the easement of the road. She stated that in looking for the property, she tried to find a site that would disturb as few people as possible. The tower will not have to be lighted. This project will proceed to final vote next week.

Highway 65 Multi-use Complex at Emory Creek Ranch: a request by Missouri Partners, Inc. to develop a multi-use residential/retail/all-purpose entertainment complex located on 400 acres past Pinegar Chevrolet to the cell

tower and right at Emory Creek Road. Mr. Coxie read the staff report and presented pictures and a video of the site. Al Zimmerman who owns property within 600' of the request stated that he is happy to see this property developed. He pointed out an easement in front of his property that the project could generate a lot of traffic and a billboard which sits in this easement. Mr. Zimmerman is willing to work with Mr. Redford regarding the easement. Mitch Young also owns property within 600' of the development and was concerned with property values, and noise. Steve Redford presented site plans for the development and a list of proposed uses. He pointed out on the plans where each use was located. Mr. Redford reported discussions with MoDot and Mr. Zimmerman. The existing road easement will be a collector road. Additional easements will be added if necessary. A bridge will be constructed in order to be able to handle the traffic on the county road off St. Hwy. 65. A site plan was presented and discussed. Mr. Redford explained where each of the amenities was located. The highway elevation will be higher than the race track which is planned. The condominium project will be four stories and will be 69 ½' tall. Permits have been obtained from the Corps of Engineers for the proposed lake. The condominiums will not be timeshare but will be nightly rental. This project is projected to create \$600 to 800 million in revenue and 800 jobs. The project could be in operation for the first phase in 2010. The race track will be ½ mile. Ken Coleman who is chairman of the Airport Board and business owner is glad to see this development and feels it will add to the property values in the County. Mark Weiss who is also a real estate agent is also in favor of the project and feels this road is needed, and will be a good added tax base. Mr. Wolfe asked the Commission to approve the 70' height so the project would not have to go to Board of Adjustment. This project will proceed to final vote next week.

Old and New Business:

Mr. Coxie asked the Commission if they would want to hear under the Division III Process any new structures added to the new airport. The Commission stated that if it is not directly related to the airport they must request Division III approval.

The Anello project has presented a new request for less units. The Commission advised that the project should come before them under the Division III Process, and will discuss this under old business next week.

A wind mill project has been discussed with staff and Mr. Coxie reported that this might be coming before them as Division III. This possibly might conflict with the height ordinance. Discussion followed.

Mr. Coxie cautioned the Commission about approving projects with preliminary drawings, and gave some examples. Discussion followed.

Shawn Pingleton made a motion to extend the meeting. Seconded by Randall Cummings. The vote to extend past 9:30 p.m. was unanimous.

Mr. Coxie discussed splitting a piece of property and having a section across the road. The Commission advised that if the split doesn't qualify for a minor subdivision to bring it through the Division III Process. The road should also meet county road standards.

Ray Edwards brought to the attention of the Commission the paragraph on the 65 Hwy. project site plan. Discussion followed. This will be addressed in the decision of record.

Adjournment:

With no other business on the agenda for April 14, 2008 a motion was made by Craig Trotter to adjourn. Seconded by Randall Cummings. The vote to adjourn was unanimous. The meeting adjourned at 9:40 p.m.