



TANEY COUNTY PLANNING COMMISSION

P. O. Box 383 • Forsyth, Missouri 65653

Phone: 417 546-7225 / 7226 • Fax: 417 546-6861

website: www.taneycounty.org

AGENDA
TANEY COUNTY PLANNING COMMISSION
PUBLIC HEARING
MONDAY, SEPTEMBER 9, 2013, 6:00 P.M.
COUNTY COMMISSION HEARING ROOM
TANEY COUNTY COURTHOUSE

Call to Order:

Establishment of Quorum
Explanation of Meeting Procedures
Presentation of Exhibits

Public Hearing:

Areawide Motors
Layton Auto Service
Cardwell Automotive, LLC

Old and New Business:

Tentative

Adjournment.



TANEY COUNTY PLANNING COMMISSION DIVISION III STAFF REPORT

HEARING DATE: September 9, 2013

CASE NUMBER: 2013-0016

PROJECT: Areawide Motors

APPLICANT: Highway 248 Group, LLC – Dan Ruda

REPRESENTATIVE: Mark Fitzhugh

LOCATION: The subject property is located at 1818 State Highway 248, Branson, MO; Branson Township; Section 30, Township 23, Range 21.

REQUEST: The applicant, the Highway 248 Group, LLC is requesting approval of a Division III Permit authorizing the establishment of a pre-owned auto sales facility.

BACKGROUND and SITE HISTORY:

This +/- 6.36 acre meets and bounds described tract of land is currently vacant. For a number of years the property served as an outdoor sales location for Ben's Decorative Lighting.

The applicant is seeking the Planning Commission approval of a Division III Permit in order to establish a pre-owned auto sales facility.

The current application was approved for Concept on August 19, 2013.

GENERAL DESCRIPTION:

The proposed Areawide Motors will consist of a small portable office building (an example is included in the packet) and a gravel parking area for the display and sales of pre-owned automobiles, on the approximately 6.36 acre meets and bounds described tract.

The proposed hours of operation will be Monday through Saturday 8:00 AM to 6:00 PM. During the Concept Hearing the representative indicated that there will be no more than 30 cars on-site at one time. The representative has further indicated that there will be no cars serviced on-site. All of the cars will either be kept clean on-site, via a mobile washing service or will be taken off-site for cleaning. The representative has indicated that the pre-owned auto sales facility will not be served by either a restroom or water. The representative stated that the applicant does not wish for the pre-owned auto sales facility to grow beyond one or two employees.

REVIEW:

An existing, Branson municipal sewer main traverses through the center of the property in question. However, the representative has indicated that Areawide Motors will not be served by a restroom facility. The representative is proposing to serve the Areawide Motors facility with a port-a-john. The City of Branson has requested in writing that the applicant connect to municipal sewer, thereby requiring annexation into the municipal limits of the City of Branson. Beacon (the Taney County GIS) indicates that the property in question is contiguous with the Branson municipal limits along both the southern and eastern property boundaries.

The property in question is also traversed along the southern portion of the property by a Taney County Public Water Supply District # 3 water line. However, the representative has indicated that Areawide Motors will be supplied with water via bottled water. The staff recommends that a condition be placed on the permit requiring Areawide Motors to connect to Branson municipal sewer, should a connection be established to water or a restroom facility be provided at any time in the future.

Per the provisions of Appendix J (On-Site Parking and Loading) auto sales and service centers require 1 parking space for every 300 square feet. In this instance the staff recommends that the standard be applied to the square footage of the office. The approximately 17,500 square foot (100' x 175') display area will function as parking for both customers and employees and also as display.

The representative is proposing to utilize the two existing accesses off of State Highway 248. However, the Missouri Department of Transportation (MoDOT) may require some modification of these access points based upon the new use of the property.

The adjoining property immediately to the north is single-family residential. The adjoining property immediately to the south is State Highway 248, vacant property and commercial. The adjoining property immediately to both the east and west is commercial.

The project received a score of -16 on the Policy Checklist, out of a maximum possible score of 33. The relative policies receiving a negative score consist of sewage disposal, emergency water supply and use compatibility.

STAFF RECOMMENDATIONS:

If the Taney County Planning Commission approves this request, the following requirements shall apply, unless revised by the Planning Commission:

1. Compliance with the provisions of the Taney County Development Guidance Code.
2. Compliance letters from the Missouri Department of Transportation (MoDOT), and the Western Taney County Fire Protection District shall be submitted to the Planning Department Office, including all other entities which have requirements governing a development of this nature (Chapter VI-VII).
3. A current copy of the Missouri State Dealership License shall be provided to the Planning Department office.
4. If an on-site restroom facility is established or a connection is made to water, the property owner shall connect to Branson municipal sewer. If Areawide Motors should employ more than two (2) persons an on-site restroom shall be provided.
5. The port-a-john facility shall be screened from the view of adjoining property owners and State Highway 248 by a privacy fence.
6. A twenty-five (25) foot wide vegetative buffer shall be maintained between the Areawide Motors business and the adjoining residences to the north.
7. Parking shall be provided in compliance with the provisions of the Taney County Development Guidance Code.
8. Normal business hours of operation shall be Monday through Saturday 8:00 AM to 6:00 PM.
9. No outside storage of equipment or solid waste materials, other than automobiles.
10. This decision is subject to all existing easements.
11. Division II Permits will be required for all applicable structures in the development (Chapter 3 Sec. I Item B).
12. Prior to the issuance of Division II Certificates of Conformance (C of Cs), the developer shall first present a Certificate of Occupancy (C of O) from the Western Taney County Fire Protection District to the Taney County Planning Department Office.
13. All light sources within the facility shall be arranged so that no direct illumination leaves the site toward adjacent residential areas or any roadways.
14. This Decision of Record shall be filed with the Taney County Recorder of Deeds Office within 120 days or the approval shall expire (Chapter II Item 6).

**Division III Relative Policy Scoring Sheet:
Western Taney County**

Performance Value	Importance Factor	Score	Section Score
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Water Quality

SEWAGE DISPOSAL	n/a=			
centralized system	2	5	-2	-10
on-site treatment system(s) with adequate safeguards to mitigate pollution	1			
septic system of adequate design and capacity	0			
proposed system may not provide adequate capacity	-1			
proposed solution may cause surface and/or ground water pollution	-2			

Environmental Policies

SOIL LIMITATIONS	n/a=	x		
no known limitations	0	3		
potential limitations but mitigation acceptable	-1			
mitigation inadequate	-2			

SLOPES	n/a=	x		
NOTE: if residential, mark "x" in box.....				
development on slope under 30%	0	4		
slope exceeds 30% but is engineered and certified	-1			
slope exceeds 30% and not engineered	-2			

WILDLIFE HABITAT AND FISHERIES	n/a=	x		
no impact on critical wildlife habitat or fisheries issues	0	2		
critical wildlife present but not threatened	-1			
potential impact on critical wildlife habitat or fisheries	-2			

AIR QUALITY	n/a=	x		
cannot cause impact	0	2		
could impact but appropriate abatement installed	-1			
could impact, no abatement or unknown impact	-2			

Land Use Compatibility

OFF-SITE NUISANCES	n/a=			
no issues or nuisance(s) can be fully mitigated	0	5	0	0
buffered and minimally mitigated	-1			
cannot be mitigated	-2			

Compatibility Factors

USE COMPATIBILITY	n/a=			
no conflicts / isolated property	0	4	-1	-4
transparent change / change not readily noticeable	-1			
impact readily apparent / out of place	-2			

**Division III Relative Policy Scoring Sheet:
Western Taney County**

	Performance Value	Importance Factor	Score	Section Score
LOT COVERAGE n/a=				
lot coverage compatible with surrounding areas	0	1	0	0
lot coverage exceeds surrounding areas by less than 50%	-1			
lot coverage exceeds surrounding areas by more than 50%	-2			
BUILDING BULK AND SCALE n/a=	x			
bulk / scale less than or equivalent to surrounding areas	0	3		
bulk / scale differs from surrounding areas but not obtrusive	-1			
bulk / scale significantly different from surrounding areas / obtrusive	-2			
BUILDING MATERIALS n/a=	x			
proposed materials equivalent to existing surrounding structures	0	2		
proposed materials similar and should blend with existing structures	-1			
materials differ from surrounding structures and would be noticeable	-2			
STRUCTURAL SCREENING OF ROOFTOP EQUIPMENT & VENTS n/a=	x			
no rooftop equipment or vents	2	1		
blocked from view by structure design	1			
blocked from view using screening	0			
partially blocked from view	-1			
exposed / not blocked from view	-2			
STRUCTURAL SCREENING OF SOLID WASTE CONTAINERS n/a=	x			
no on-site waste containers	2	3		
blocked from view by structure design	1			
blocked from view using screening	0			
partially blocked from view	-1			
exposed / not blocked from view	-2			
STRUCTURAL SCREENING OF OUTDOOR EQUIP, STORAGE, ETC. n/a=	x			
no outdoor storage of equipment, materials, etc., or outdoor work areas	2	3		
blocked from view by structure design	1			
blocked from view using screening	0			
partially blocked from view	-1			
exposed / not blocked from view	-2			
LANDSCAPED BUFFERS -- RESIDENTIAL n/a=	x			
approved landscaped buffer between homes and all streets / roads / highways	2	2		
approved landscaped buffer from major roads / highways only	1			
minimal landscaped buffer, but compensates with expanse of land	0			
no landscaped buffer between residences and local streets	-1			
no landscaped buffer from any road	-2			

**Division III Relative Policy Scoring Sheet:
Western Taney County**

	Performance Value	Importance Factor	Score	Section Score
LANDSCAPED BUFFERS - INDUSTRIAL				
	n/a= x			
approved landscaped buffer from public roads	0	3		
minimal landscaped buffer, but compensates with expanse of land	-1			
no landscaped buffer from public roads	-2			
Local Economic Development				
RIGHT TO FARM				
	n/a= x			
does not limit existing agricultural uses / does not cause nuisance, predation	0	3		
does not limit existing agricultural uses, but may result in minor nuisance	-1			
potential impact(s) on existing agricultural land	-2			
RIGHT TO OPERATE				
	n/a= x			
no viable impact on existing industrial uses by residential development	0	3		
potential impact but can be mitigated	-1			
potential impact on existing industrial uses with no mitigation	-2			
DIVERSIFICATION				
	n/a=			
creates >=5 full-time, year-round jobs outside of recreation / resort sector	2	5	0	0
creates full-time, year-round and seasonal jobs	1			
creates seasonal jobs only	0			
Site Planning, Design, Occupancy				
RESIDENTIAL PRIVACY				
	n/a= x			
privacy provided by structural design, or not applicable	2	2		
privacy provided by structural screening	1			
privacy provided by landscaped buffers	0			
privacy provided by open space	-1			
no acceptable or effective privacy buffering	-2			
MIXED-USE DEVELOPMENTS				
	n/a= x			
uses / functions are compatible or not applicable	2	3		
uses / functions are integrated and separated based on compatibility	1			
uses / functions differ minimally and are not readily apparent	0			
uses / functions poorly integrated or separated	-1			
uses / functions mixed without regard to compatibility factors	-2			
Commercial Development				
DEVELOPMENT PATTERNS				
	n/a= x			
clustered development / sharing of parking, signs, ingress, egress, or not applicable	2	3		
some clustering and sharing patterns with good separation of facilities	1			
some clustering and sharing patterns with minimal separation of facilities	0			
clustered development with no appreciable sharing of facilities	-1			
unclustered development with no sharing or ability to share facilities	-2			

**Division III Relative Policy Scoring Sheet:
Western Taney County**

	Performance Value	Importance Factor	Score	Section Score
DEVELOPMENT BUFFERING n/a=	x			
approved and effectively designed landscaped buffers between structures and all roads	2	3		
minimal landscaped buffering, but compensates with expanse of land	1			
minimal landscaped buffering	0			
no landscaped buffering, but utilizes expanse of land	-1			
no or inadequate buffering or separation by land	-2			
Services - Capacity and Access				
TRAFFIC n/a=				
no impact or insignificant impact on current traffic flows	0	2	0	0
traffic flow increases expected but manageable using existing roads and road accesses	-1			
traffic flow increases exceed current road capacities	-2			
EMERGENCY SERVICES n/a=				
structure size and/or access can be serviced by emergency equipment	0	5	0	0
structure size and/or access may impede but not hinder serviceability	-1			
structure size and/or access could be problematic or non-serviceable	-2			
RIGHT-OF-WAY OF EXISTING ROADS n/a=				
greater than 50 ft. right-of-way	1	5	1	5
50 ft. right-of-way	0			
40 ft. right-of-way	-1			
less than 40 ft. right-of-way	-2			
Internal Improvements				
WATER SYSTEM SERVICE n/a=	x			
central water system meeting DNR requirements for capacity, storage, design, etc.	2	3		
community well / water system meeting DNR requirements	1			
private wells meeting DNR requirements	0			
private wells not meeting any established standards	-1			
individual / private wells	-2			
EMERGENCY WATER SUPPLY n/a=				
fire hydrant system throughout development with adequate pressure and flow	0	5	-2	-10
fire hydrant system with limited coverage	-1			
no fire hydrant system	-2			
PEDESTRIAN CIRCULATION INFRASTRUCTURE n/a=	x			
paved and dedicated walkways (no bicycles) provided throughout development	2	4		
paved walkways provided throughout development / maybe shared with bicycles	1			
designated walkways provided but unpaved	0			
no pedestrian walkways, but green space provided for pedestrian use	-1			
no designated pedestrian walkway areas	-2			

**Division III Relative Policy Scoring Sheet:
Western Taney County**

	Performance Value	Importance Factor	Score	Section Score
PEDESTRIAN SAFETY n/a=	x			
separation of pedestrian walkways from roadways by landscape or structural buffer	2	2		
separation of pedestrian walkways from roadways by open land buffer	1			
pedestrian walkways abut roadways with no buffering / protection	0			
BICYCLE CIRCULATION n/a=	x			
dedicated / separate bike-ways with signage, bike racks, trails	2	1		
bicycle lanes shared with pedestrian walkways but separated by markings / signs	1			
no designated bike-ways	0			
UNDERGROUND UTILITIES n/a=				
all utilities are provided underground up to each building / structure	2	4	2	8
all utilities traverse development underground but may be above ground from easement	1			
utilities above ground but / over designated easements	0			
utilities above ground and not within specific easements	-1			
no specific management of utilities	-2			
Open-Space Density				
USABLE OPEN SPACE n/a=	x			
residential developments (>25 units) include more than 25% open recreational space	2	2		
residential developments (>25 units) offer >10% but <25% open recreational space	1			
recreational area provided, but highly limited and not provided as open space	0			
no designated recreational space provided, but open space available	-1			
no open recreational space provided	-2			
Solid Waste Disposal				
SOLID WASTE DISPOSAL SERVICE AVAILABILITY n/a=				
weekly service is available and documentation of availability provided	0	5	-1	-5
weekly service reportedly available but not documented	-1			
centralized, on-site trash collection receptacles available	-2			
SOLID WASTE DISPOSAL SERVICE COMMITMENT n/a=	x			
restrictive covenants provide for weekly disposal for each occupied structure	0	5		
services available but not a requirement documented in covenants	-1			
not applicable / no pick-up service provided	-2			

Total Weighted Score= -16

Maximum Possible Score= 33

Actual Score as Percent of Maximum= -48.5%

Number of Negative Scores= 4

Negative Scores as % of All Applicable Scores= 36.4%

Scoring Performed by:

Bob Atchley / Bonita Kissee

Date:

August 29, 2013

Project: Areawide Motors

Permit#: 13-16

Policies Receiving a Negative Score	
Importance Factor 5:	sewage disposal emergency water supply waste disposal service
Importance Factor 4:	use compatibility
Importance Factor 3:	none
Importance Factor 2:	none
Importance Factor 1:	none

Scoring by: *Bob Atchley / Bonita Kisse*

Date: *August 29, 2013*

Project: **Areawide Motors**

Permit: **13-16**

	Max. Possible	As Scored	%	Total Negative Scores	
Scoring	33	-16	-48.5%	4	36.4%

	Max. Possible	As Scored	Negative Scores	
			Number of	Percent
Importance Factor 5	25	-20	3	42.9%
sewage disposal	10	-10		
off-site nuisances	0	0		
diversification	10	0		
emergency services	0	0		
right-of-way/roads	5	5		
emergency water supply	0	-10		
waste disposal service	0	-5		
waste disposal commitment				
Importance Factor 4	8	4	1	50.0%
slopes				
use compatibility	0	-4		
pedestrian circulation				
underground utilities	8	8		
Importance Factor 3				
soil limitations				
building bulk/scale				
waste containers screening				
outdoor equip storage				
industrial buffer / screening				
right to farm				
right to operate				
mixed-use developments				
development patterns				
development buffering				
water system service				
Importance Factor 2				
wildlife habitat and fisheries				
air quality				
building materials				
residential buffer / screening				
residential privacy				
traffic	0	0		
pedestrian safety				
usable open space				
Importance Factor 1				
lot coverage	0	0		
rooftop vents / equipment				
bicycle circulation				

Scoring by: *Bob Atchley / Bonita Kisse*
 Date: *August 29, 2013*

Bob Atchley

From: Joel Hornickel [jhornickel@bransonmo.gov]
Sent: Friday, August 16, 2013 2:34 PM
To: Bob Atchley; Kendall Powell
Subject: RE: Requested Input - Division III (Land Use) Permit Application - 1818 State Highway 248
Attachments: 1818 Hwy 248.jpg

Bob:

As always, we appreciate the consideration and the heads up on these requests, especially when they are contiguous to our city limits. As you mentioned, a sewer main does traverse through the middle of this property from the west to the east (see attached image). However, as this property is, or would be served by Public Water District #3, we do not have any information to share regarding water location.

Being this property is contiguous to Branson's city limits, any requested connection to our sewer system would result in the annexation process being initiated. Additionally, as part of the process to develop this property with the request for sewer and annexation, we would require this property to request a special use permit to operate an auto dealership which would also include verification from the MO Dept. of Revenue on their ability to be a licensed seller with the state. Beyond this all, they would be required to meet all other applicable codes and ordinances including, but not limited to: building, sign, landscaping and parking codes.

In summary, any necessary connection to City of Branson's sewer system in conjunction with the development of this property should require this request to be considered by the City of Branson and not Taney County. The applicant should not be allowed to gain approvals for development of this property if a sewer connection will be necessary in the future.

Please let me know if you have any other questions or need any additional clarification.

Take care,

Joel Hornickel

Interim Director

City of Branson

Planning & Development Dept.

From: Bob Atchley [mailto:boba@co.taney.mo.us]
Sent: Thursday, August 15, 2013 4:34 PM
To: Joel Hornickel; Kendall Powell
Subject: Requested Input - Division III (Land Use) Permit Application - 1818 State Highway 248

Hello Joel and Kendall,

The Taney County Planning Department recently received a Division III (Land Use) Permit application for a proposed used auto sales facility to be located at 1818 State Highway 248 (Parcel # 08-9.0-30-000-000-068.005). I am seeking your input on this proposed Division III Permit, per the provisions of the Taney County Development Guidance Code.

I have attached a PDF copy of the PowerPoint presentation that will be presented to the Planning Commission for the August 19, 2013 Planning Commission Concept Hearing. Please note that the Concept Hearing is the initial meeting between the applicant and the Planning Commission, in which the applicant presents a conceptual plan to the Planning Commission. The formal Public Hearing for this request would tentatively be

held on September 9, 2013, with the Planning Commission vote being held on September 16, 2013. The Planning Staff Report will be presented during the Public Hearing and will be a part of the Planning Commission packets.

Please note that the property in question is contiguous with the City of Branson municipal limits. It is my understanding that a municipal sewer main may actually be located on the property in question. Do you know if there is also public water in the area as well? The applicant has indicated to Scott Starrett that he will have a somewhat mobile sales office and is not planning initially to connect to water. He has indicated that he wishes to start out on a very small scale. However, I am concerned about a used auto facility potentially being served by a porta-potty facility and bottled water. Kendall, if possible I would really appreciate it if you could send a map / GIS aerial photo showing the location of the sewer main. If you have access to mapping indicating the location of public water in the area I would sincerely appreciate your help with that as well.

Please provide written input concerning this proposed Division III Permit application. I sincerely appreciate all of your help.

Please let me know if you have questions or concerns. Thank you again for your continued time, guidance and assistance.

Thanks Again,

Bob Atchley

Administrator

Taney County Planning Commission

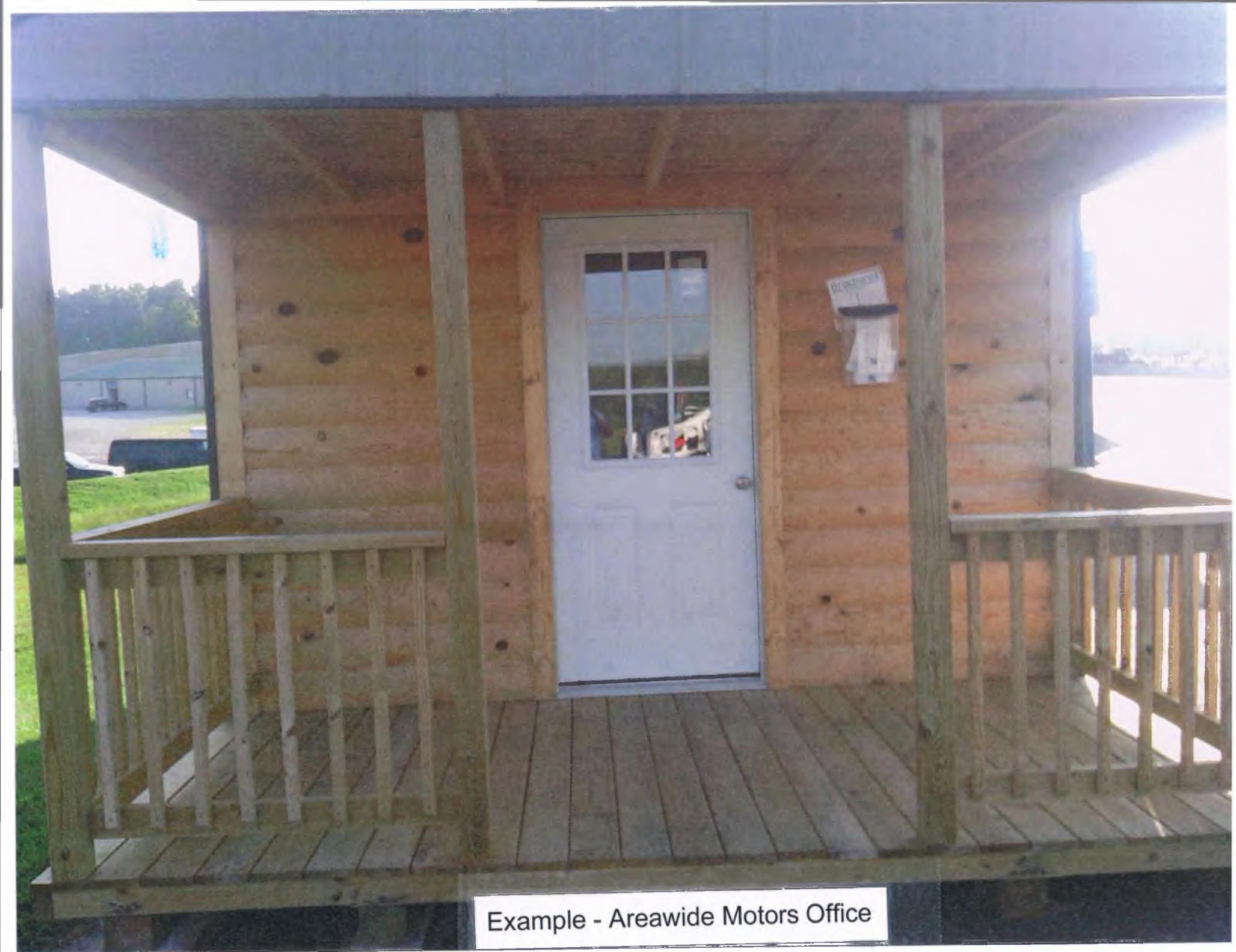
P.O. Box 383

207 David Street

Forsyth, MO 65653

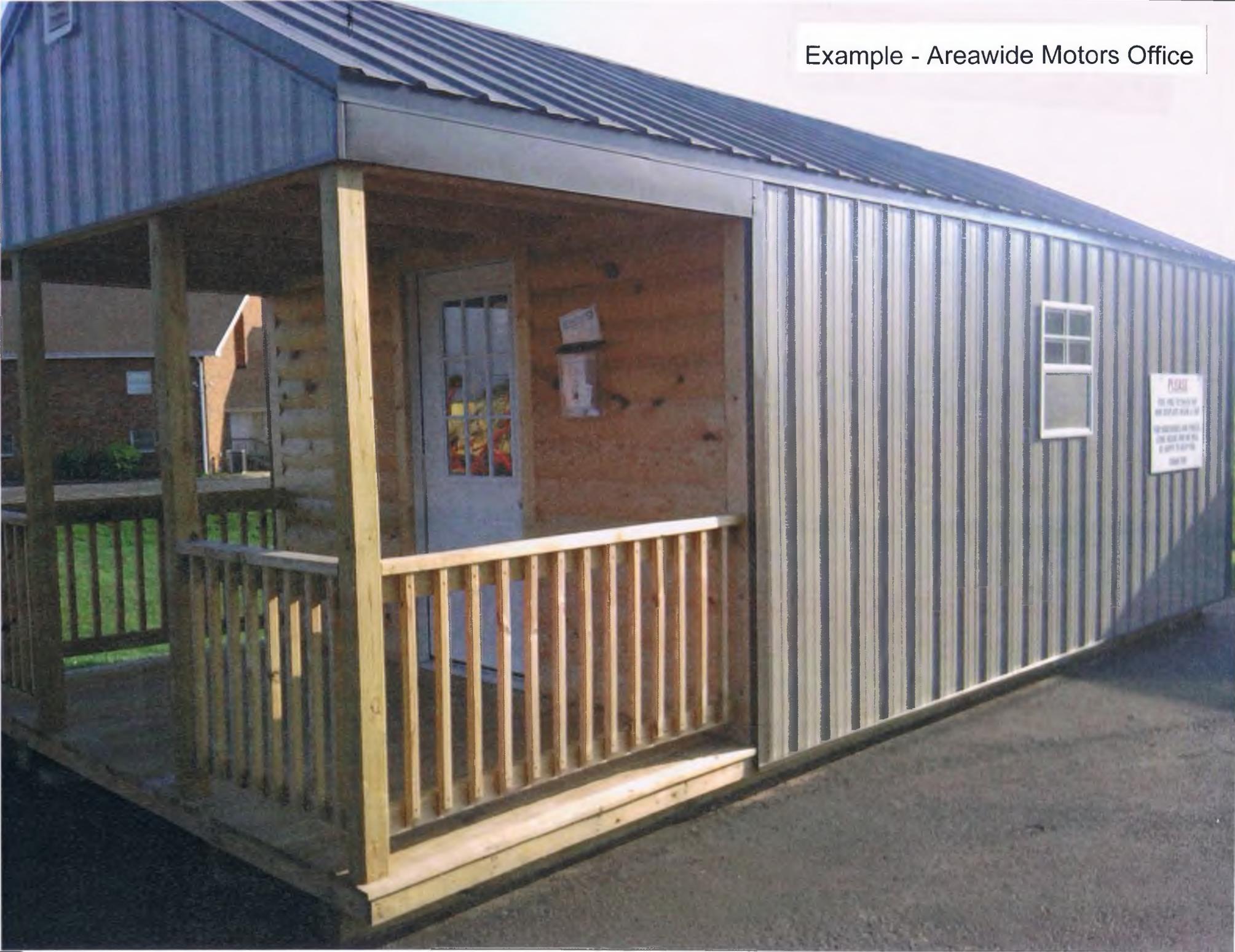
Phone: (417) 546-7225

Fax: (417) 546-6861



Example - Areawide Motors Office

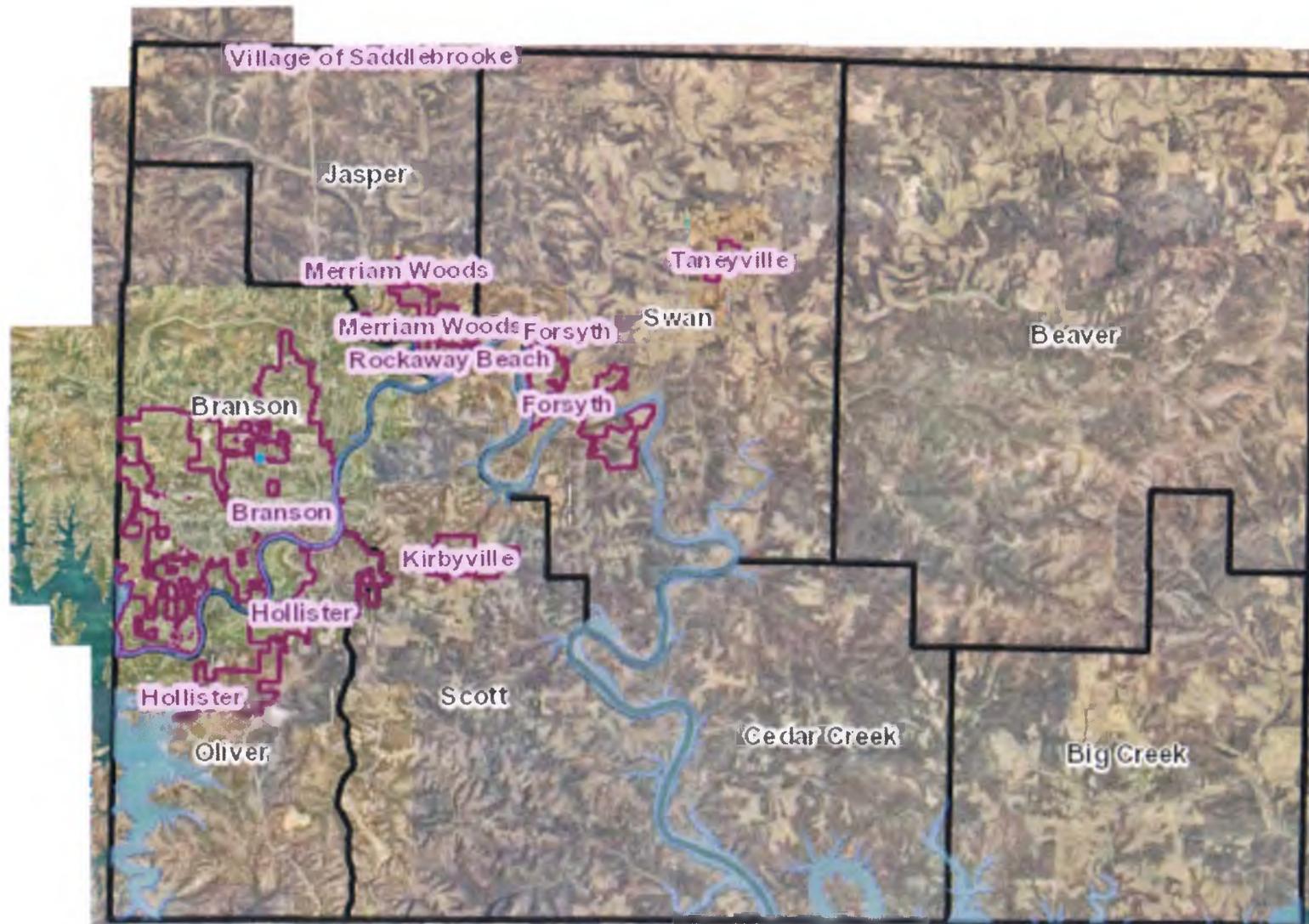
Example - Areawide Motors Office



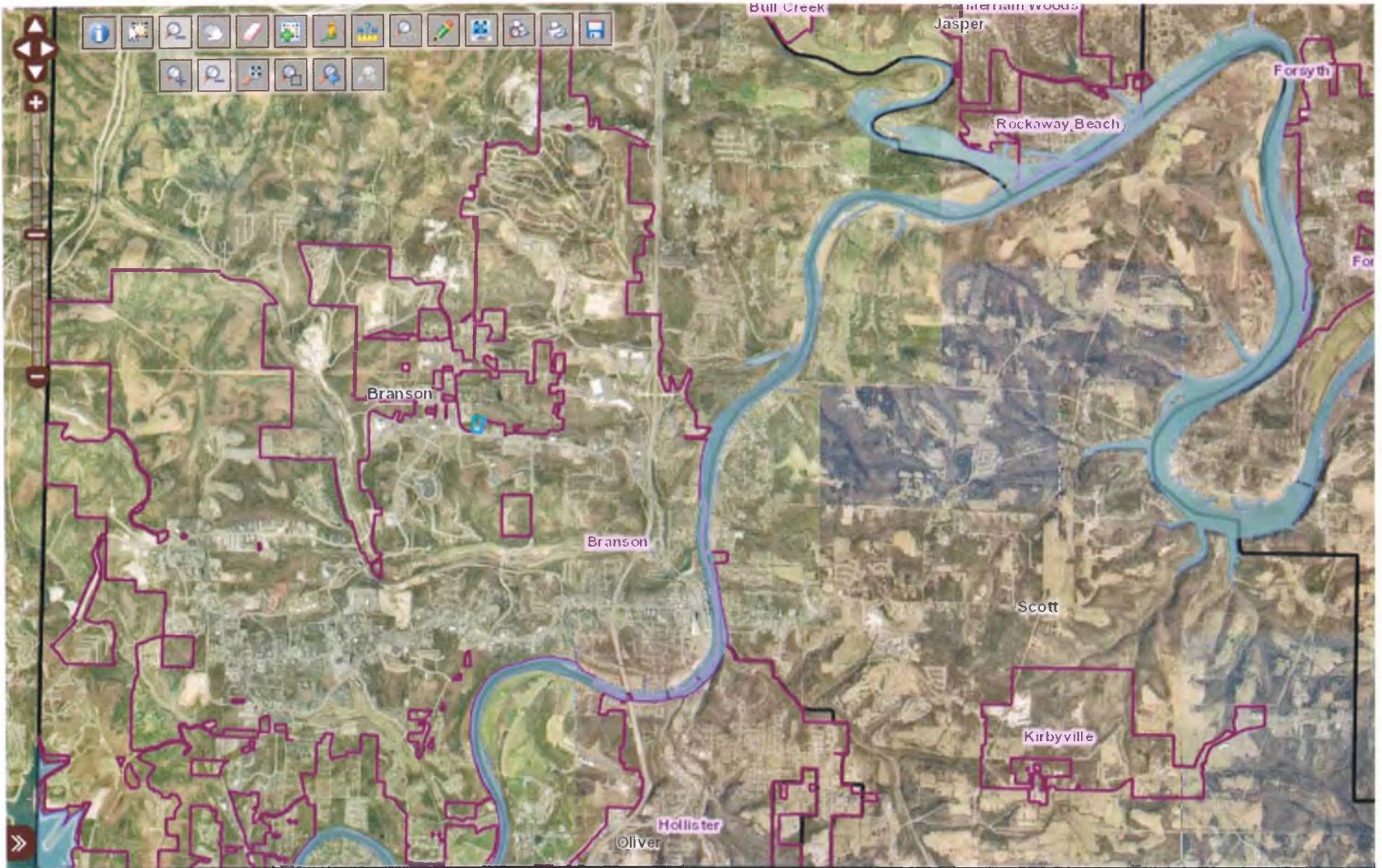


Areawide Motors

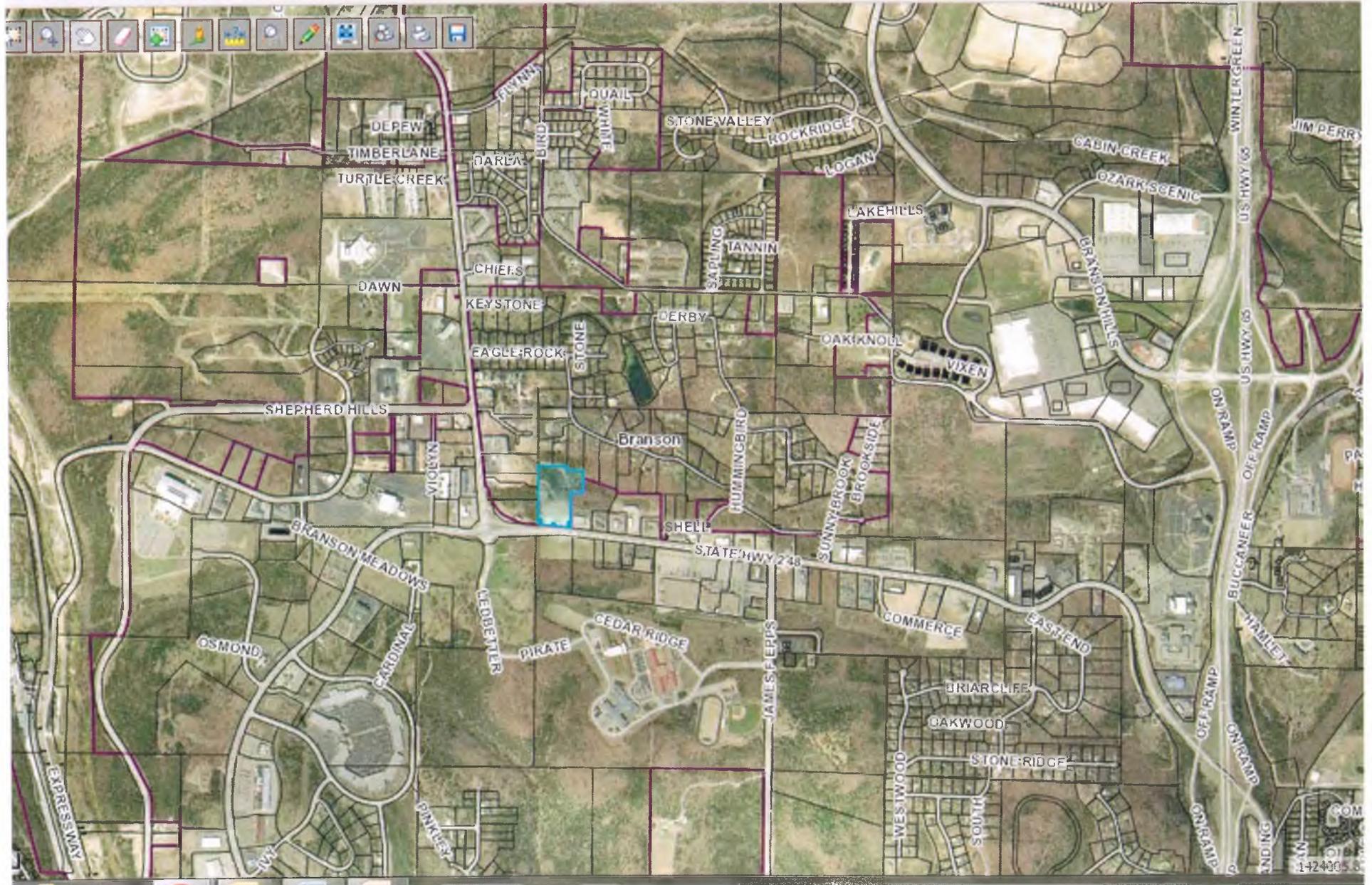




**Areawide Motors
Division III Permit 2013-0016
Taney County GIS - Beacon**



**Areawide Motors
Division III Permit 2013-0016
Taney County GIS - Beacon**





Branson





**Areawide Motors
Division III Permit 2013-0016
Pictometry – North View**



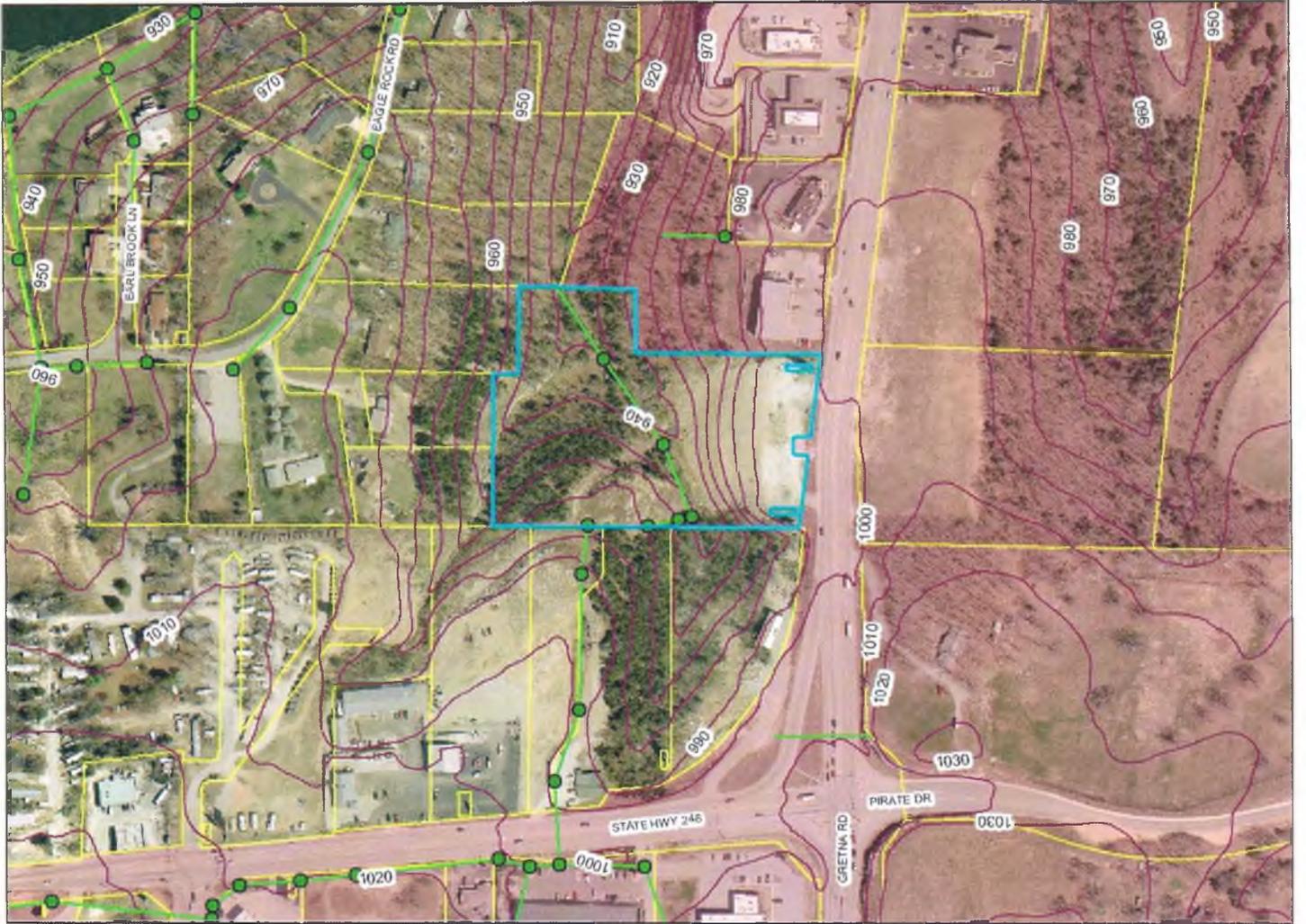
**Areawide Motors
Division III Permit 2013-0016
Pictometry – South View**



**Areawide Motors
Division III Permit 2013-0016
Pictometry – East View**



**Areawide Motors
Division III Permit 2013-0016
Pictometry – West View**



NOTICE OF PUBLIC HEARING

THE TANNEY COUNTY PLANNING COMMISSION

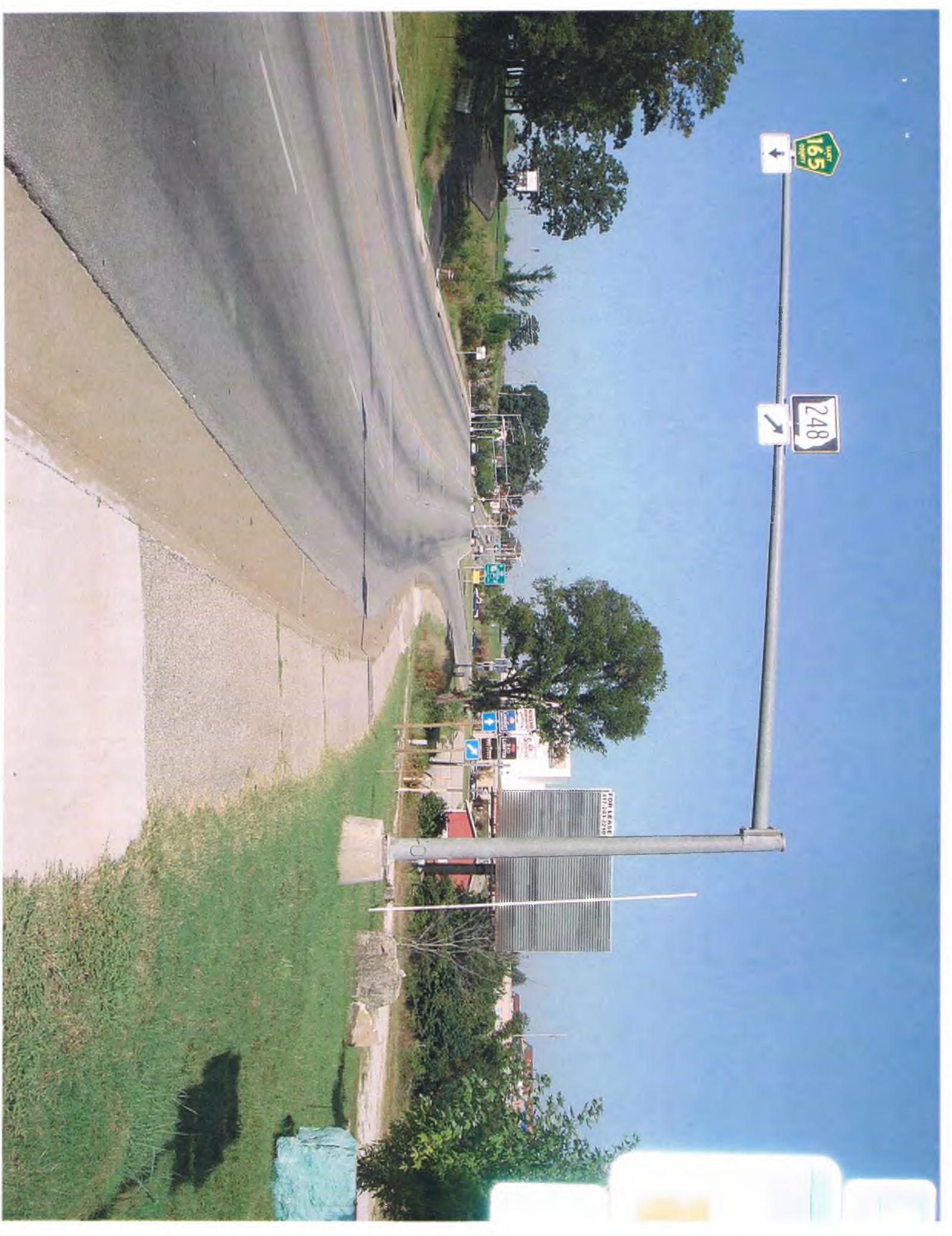
Will Hold a Public Hearing Concerning The
Following Requested Zone Change
Under the Division III Process

Applicant: Hwy 248 Services
Proposed Development: Area Wide
Meters

Property Location: 1318 St Hwy 248

Hearing Location: County Courthouse
Time: 8:00 AM Date: 9-9-13

Phone: 417-446-7225







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TANEY COUNTY PLANNING COMMISSION DIVISION III STAFF REPORT

HEARING DATE: September 9, 2013

CASE NUMBER: 2013-0018

PROJECT: Layton Auto Service

APPLICANT: Gail Layton

LOCATION: The subject property is located at 142 Bee Creek Road, Branson, MO; Branson Township; Section 21, Township 23, Range 21.

REQUEST: The applicant, Gail Layton is requesting approval of a Division III Permit in order to allow the existing, permitted Layton Auto Service to be relocated from its present location at 282 Wabash Lane, Branson to the property located at 142 Bee Creek Road, Branson.

BACKGROUND and SITE HISTORY:

On November 17, 2008 the Planning Commission approved Division III Special-Use Permit # 2008-0063, which allowed Gail Layton to convert an existing 1,680 square foot building (30' x 56'), located at 282 Wabash Road, into a commercial auto repair business. The permit was issued as a Special-Use Permit. Therefore the permit was issued specifically to Mr. Layton and cannot be transferred without Planning Commission approval. Per the provisions of the Development Guidance Code the Special-Use Permit is also not to be used to establish commercial compatibility for or with any future land-use change applications. This approximately 9.8 acre tract (per the Assessor's information via Beacon) currently contains both the Layton's private residence and also Layton Auto Services. If the current applicant is approved the property located at 282 Wabash Road will revert back to its previous residential use, upon the relocation of the auto service business.

On January 28, 2011 Lot 1A was created as a +/- 1.57 acre lot via the Replat of Lot 1 of the Snadon Subdivision. The Replat of Lot 1 of Snadon Subdivision has been included in the packet for your review.

The applicant, Gail Layton is seeking the approval of a Division III Permit in order to relocate the existing Layton Auto Service business from 282 Wabash Road to 142 Bee Creek Road, Branson.

The current application was approved for Concept on August 19, 2013.

GENERAL DESCRIPTION:

The applicant is seeking the approval of a Division III Permit in order to allow for the relocation of the existing Layton Auto Service business from 282 Wabash Road to a new location at 142 Bee Creek Road. The applicant is proposing to construct a 5,200 square foot building (40' x 130') on the currently vacant site, to serve as the Layton Auto Service. The proposed normal business hours of operation would be Monday through Friday 8:00 AM to 5:00 PM and 8:00 AM to 3:00 PM on Saturday.

REVIEW:

The Layton Auto Service business will be served by Branson municipal sewer and Public Water Supply District # 3. The applicant has been in contact with both the City of Branson and Public Water Supply District #3 concerning each of the aforementioned connections.

The applicant is proposing for the property to be accessed via a separate primary entrance and exit off of Stinger Road, with a secondary access also being provided via the existing ingress / egress easement which already accesses Bee Creek Road (as shown on the attached replat).

Per the provisions of Appendix J (On-Site Parking and Loading) auto sales and service centers require 1 parking space for every 300 square feet. Therefore Layton Auto Service would be required to provide a minimum of 18 parking spaces.

The adjoining property immediately to the north is single-family residential, with multi-family residential being located further to the north. The adjoining property immediately to the south is Stinger Road, commercial storage and a single-family residence. The adjoining property immediately to the east is Bee Creek Road, the Boys and Girls Club and single-family residential. The property immediately to the west consists of Yellow Jacket Road multi-family residential and vacant property.

The applicant is proposing to erect a privacy fence between the Layton Auto Service business and the adjoining single-family residences to both the north and west.

The project received a score of 2 on the Policy Checklist, out of a maximum possible score of 39. The relative policies receiving a negative score consist of off-site nuisances, emergency water supply, solid waste disposal service, and use compatibility.

STAFF RECOMMENDATIONS:

If the Taney County Planning Commission approves this request, the following requirements shall apply, unless revised by the Planning Commission:

1. Compliance with the provisions of the Taney County Development Guidance Code, that include plans for the following:
 - a. Sediment and erosion control (Section 4.1.1)
 - b. Stormwater management (Appendix B Item 3)
 - c. Land Grading Permit for all disturbances of over one acre (Appendix F)
 - d. Utility easements and building line setbacks (Table 12)
 - e. Improvements with scale of buildings, streets, onsite parking and utilities.(Table 6)
 - f. A complete landscape and buffering plan showing the location, size and planting materials for all buffer yards, both adjacent to public rights-of-way and residential properties.
 - g. A lighting plan showing the location, height and other specifications on the lighting to be provided for the development.
2. Compliance letters from the City of Branson, Taney County Public Water Supply District # 3, the Western Taney County Fire Protection District and the Taney County Road & Bridge Department shall be submitted to the Planning Department Office, including all other entities which have requirements governing a development of this nature (Chapter VI-VII).
3. An opaque (privacy) fence shall be erected between the Layton Auto Service business and the adjoining single-family residences to both the north and west.
4. A minimum of eighteen (18) parking spaces shall be provided for the Layton Auto Service business.
5. Normal business hours of operation shall be Monday through Friday 8:00 AM to 5:00 PM and 8:00 AM to 3:00 PM on Saturday.
6. No outside storage of equipment or solid waste materials.
7. This decision is subject to all existing easements.
8. Division II Permits will be required for all applicable structures in the development (Chapter 3 Sec. I Item B).
9. Prior to the issuance of Division II Certificates of Conformance (C of Cs), the developer shall first present a Certificate of Occupancy (C of O) from the Western Taney County Fire Protection District to the Taney County Planning Department Office.
10. All light sources within the facility shall be arranged so that no direct illumination leaves the site toward adjacent residential areas or any roadways.
11. This Decision of Record shall be filed with the Taney County Recorder of Deeds Office within 120 days or the approval shall expire (Chapter II Item 6).

Division III Relative Policy Scoring Sheet:
Western Taney County

Performance Value	Importance Factor	Score	Section Score
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Water Quality

SEWAGE DISPOSAL	n/a=			
centralized system	2	5	2	10
on-site treatment system(s) with adequate safeguards to mitigate pollution	1			
septic system of adequate design and capacity	0			
proposed system may not provide adequate capacity	-1			
proposed solution may cause surface and/or ground water pollution	-2			

Environmental Policies

SOIL LIMITATIONS	n/a=			
no known limitations	0	3	0	0
potential limitations but mitigation acceptable	-1			
mitigation inadequate	-2			

SLOPES	n/a=			
NOTE: if residential, mark "x" in box.....				
development on slope under 30%	0	4	0	0
slope exceeds 30% but is engineered and certified	-1			
slope exceeds 30% and not engineered	-2			

WILDLIFE HABITAT AND FISHERIES	n/a=			
no impact on critical wildlife habitat or fisheries issues	0	2	0	0
critical wildlife present but not threatened	-1			
potential impact on critical wildlife habitat or fisheries	-2			

AIR QUALITY	n/a=			
cannot cause impact	0	2		
could impact but appropriate abatement installed	-1			
could impact, no abatement or unknown impact	-2			

Land Use Compatibility

OFF-SITE NUISANCES	n/a=			
no issues or nuisance(s) can be fully mitigated	0	5	-1	-5
buffered and minimally mitigated	-1			
cannot be mitigated	-2			

Compatibility Factors

USE COMPATIBILITY	n/a=			
no conflicts / isolated property	0	4	-1	-4
transparent change / change not readily noticeable	-1			
impact readily apparent / out of place	-2			

Division III Relative Policy Scoring Sheet:
Western Taney County

	Performance Value	Importance Factor	Score	Section Score
LOT COVERAGE n/a=				
lot coverage compatible with surrounding areas	0	1	0	0
lot coverage exceeds surrounding areas by less than 50%	-1			
lot coverage exceeds surrounding areas by more than 50%	-2			
BUILDING BULK AND SCALE n/a=				
bulk / scale less than or equivalent to surrounding areas	0	3	0	0
bulk / scale differs from surrounding areas but not obtrusive	-1			
bulk / scale significantly different from surrounding areas / obtrusive	-2			
BUILDING MATERIALS n/a=	x			
proposed materials equivalent to existing surrounding structures	0	2		
proposed materials similar and should blend with existing structures	-1			
materials differ from surrounding structures and would be noticeable	-2			
STRUCTURAL SCREENING OF ROOFTOP EQUIPMENT & VENTS n/a=	x			
no rooftop equipment or vents	2	1		
blocked from view by structure design	1			
blocked from view using screening	0			
partially blocked from view	-1			
exposed / not blocked from view	-2			
STRUCTURAL SCREENING OF SOLID WASTE CONTAINERS n/a=	x			
no on-site waste containers	2	3		
blocked from view by structure design	1			
blocked from view using screening	0			
partially blocked from view	-1			
exposed / not blocked from view	-2			
STRUCTURAL SCREENING OF OUTDOOR EQUIP, STORAGE, ETC. n/a=	x			
no outdoor storage of equipment, materials, etc., or outdoor work areas	2	3		
blocked from view by structure design	1			
blocked from view using screening	0			
partially blocked from view	-1			
exposed / not blocked from view	-2			
LANDSCAPED BUFFERS -- RESIDENTIAL n/a=	x			
approved landscaped buffer between homes and all streets / roads / highways	2	2		
approved landscaped buffer from major roads / highways only	1			
minimal landscaped buffer, but compensates with expanse of land	0			
no landscaped buffer between residences and local streets	-1			
no landscaped buffer from any road	-2			

Division III Relative Policy Scoring Sheet:
Western Taney County

Performance Value	Importance Factor	Score	Section Score
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LANDSCAPED BUFFERS - INDUSTRIAL	n/a=	x			
approved landscaped buffer from public roads		0	3		
minimal landscaped buffer, but compensates with expanse of land		-1			
no landscaped buffer from public roads		-2			

Local Economic Development

RIGHT TO FARM	n/a=	x			
does not limit existing agricultural uses / does not cause nuisance, predation		0	3		
does not limit existing agricultural uses, but may result in minor nuisance		-1			
potential impact(s) on existing agricultural land		-2			

RIGHT TO OPERATE	n/a=	x			
no viable impact on existing industrial uses by residential development		0	3		
potential impact but can be mitigated		-1			
potential impact on existing industrial uses with no mitigation		-2			

DIVERSIFICATION	n/a=				
creates >=5 full-time, year-round jobs outside of recreation / resort sector		2	5	1	5
creates full-time, year-round and seasonal jobs		1			
creates seasonal jobs only		0			

Site Planning, Design, Occupancy

RESIDENTIAL PRIVACY	n/a=	x			
privacy provided by structural design, or not applicable		2	2		
privacy provided by structural screening		1			
privacy provided by landscaped buffers		0			
privacy provided by open space		-1			
no acceptable or effective privacy buffering		-2			

MIXED-USE DEVELOPMENTS	n/a=	x			
uses / functions are compatible or not applicable		2	3		
uses / functions are integrated and separated based on compatibility		1			
uses / functions differ minimally and are not readily apparent		0			
uses / functions poorly integrated or separated		-1			
uses / functions mixed without regard to compatibility factors		-2			

Commercial Development

DEVELOPMENT PATTERNS	n/a=	x			
clustered development / sharing of parking, signs, ingress, egress, or not applicable		2	3		
some clustering and sharing patterns with good separation of facilities		1			
some clustering and sharing patterns with minimal separation of facilities		0			
clustered development with no appreciable sharing of facilities		-1			
unclustered development with no sharing or ability to share facilities		-2			

Division III Relative Policy Scoring Sheet:
Western Taney County

	Performance Value	Importance Factor	Score	Section Score
DEVELOPMENT BUFFERING	n/a= x			
approved and effectively designed landscaped buffers between structures and all roads	2	3		
minimal landscaped buffering, but compensates with expanse of land	1			
minimal landscaped buffering	0			
no landscaped buffering, but utilizes expanse of land	-1			
no or inadequate buffering or separation by land	-2			
Services - Capacity and Access				
TRAFFIC	n/a=			
no impact or insignificant impact on current traffic flows	0	2	0	0
traffic flow increases expected but manageable using existing roads and road accesses	-1			
traffic flow increases exceed current road capacities	-2			
EMERGENCY SERVICES	n/a=			
structure size and/or access can be serviced by emergency equipment	0	5	0	0
structure size and/or access may impede but not hinder serviceability	-1			
structure size and/or access could be problematic or non-serviceable	-2			
RIGHT-OF-WAY OF EXISTING ROADS	n/a=			
greater than 50 ft. right-of-way	1	5	1	5
50 ft. right-of-way	0			
40 ft. right-of-way	-1			
less than 40 ft. right-of-way	-2			
Internal Improvements				
WATER SYSTEM SERVICE	n/a=			
central water system meeting DNR requirements for capacity, storage, design, etc.	2	3	2	6
community well / water system meeting DNR requirements	1			
private wells meeting DNR requirements	0			
private wells not meeting any established standards	-1			
individual / private wells	-2			
EMERGENCY WATER SUPPLY	n/a=			
fire hydrant system throughout development with adequate pressure and flow	0	5	-2	-10
fire hydrant system with limited coverage	-1			
no fire hydrant system	-2			
PEDESTRIAN CIRCULATION INFRASTRUCTURE	n/a= x			
paved and dedicated walkways (no bicycles) provided throughout development	2	4		
paved walkways provided throughout development / maybe shared with bicycles	1			
designated walkways provided but unpaved	0			
no pedestrian walkways, but green space provided for pedestrian use	-1			
no designated pedestrian walkway areas	-2			

**Division III Relative Policy Scoring Sheet:
Western Taney County**

	Performance Value	Importance Factor	Score	Section Score
PEDESTRIAN SAFETY n/a=	x			
separation of pedestrian walkways from roadways by landscape or structural buffer	2	2		
separation of pedestrian walkways from roadways by open land buffer	1			
pedestrian walkways abut roadways with no buffering / protection	0			
BICYCLE CIRCULATION n/a=	x			
dedicated / separate bike-ways with signage, bike racks, trails	2	1		
bicycle lanes shared with pedestrian walkways but separated by markings / signs	1			
no designated bike-ways	0			
UNDERGROUND UTILITIES n/a=				
all utilities are provided underground up to each building / structure	2	4	0	0
all utilities traverse development underground but may be above ground from easement	1			
utilities above ground but / over designated easements	0			
utilities above ground and not within specific easements	-1			
no specific management of utilities	-2			
Open-Space Density				
USABLE OPEN SPACE n/a=	x			
residential developments (>25 units) include more than 25% open recreational space	2	2		
residential developments (>25 units) offer >10% but <25% open recreational space	1			
recreational area provided, but highly limited and not provided as open space	0			
no designated recreational space provided, but open space available	-1			
no open recreational space provided	-2			
Solid Waste Disposal				
SOLID WASTE DISPOSAL SERVICE AVAILABILITY n/a=				
weekly service is available and documentation of availability provided	0	5	-1	-5
weekly service reportedly available but not documented	-1			
centralized, on-site trash collection receptacles available	-2			
SOLID WASTE DISPOSAL SERVICE COMMITMENT n/a=	x			
restrictive covenants provide for weekly disposal for each occupied structure	0	5		
services available but not a requirement documented in covenants	-1			
not applicable / no pick-up service provided	-2			

Total Weighted Score= 2

Maximum Possible Score= 39

Actual Score as Percent of Maximum= 5.1%

Number of Negative Scores= 4

Negative Scores as % of All Applicable Scores= 25.0%

Scoring Performed by:

Bob Atchley / Bonita Kissee

Date:

August 29, 2013

Project: **Layton Auto Service**

Permit#: **13-18**

Policies Receiving a Negative Score	
Importance Factor 5:	off-site nuisances emergency water supply waste disposal service
Importance Factor 4:	use compatibility
Importance Factor 3:	none
Importance Factor 2:	none
Importance Factor 1:	none

Scoring by: *Bob Atchley / Bonita Kisse*

Date: *August 29, 2013*

Project: Layton Auto Service

Permit: 13-18

	Max. Possible	As Scored	%	Total Negative Scores	
Scoring	39	2	5.1%	4	25.0%

	Max. Possible	As Scored	Negative Scores	
			Number of	Percent
Importance Factor 5			3	42.9%
sewage disposal	10	10		
off-site nuisances	0	-5		
diversification	10	5		
emergency services	0	0		
right-of-way/roads	5	5		
emergency water supply	0	-10		
waste disposal service	0	-5		
waste disposal commitment				
Importance Factor 4	8	-4	1	33.3%
slopes	0	0		
use compatibility	0	-4		
pedestrian circulation				
underground utilities	8	0		
Importance Factor 3	6	6		
soil limitations	0	0		
building bulk/scale	0	0		
waste containers screening				
outdoor equip storage				
industrial buffer / screening				
right to farm				
right to operate				
mixed-use developments				
development patterns				
development buffering				
water system service	6	6		
Importance Factor 2				
wildlife habitat and fisheries	0	0		
air quality				
building materials				
residential buffer / screening				
residential privacy				
traffic	0	0		
pedestrian safety				
usable open space				
Importance Factor 1				
lot coverage	0	0		
rooftop vents / equipment				
bicycle circulation				

Scoring by: *Bob Atchley / Bonita Kissee*
 Date: *August 29, 2013*

THE REPLAT OF
LOT 1 SNADON SUBDIVISION
LOCATED IN THE NE1/4 NW1/4
OF SEC. 21, T23N, R21W
OF THE 6TH PRINCIPAL MERIDIAN
TANEY COUNTY, MISSOURI

OFFICE OF TANEY COUNTY 911 ADMINISTRATOR

APPROVED BY THE OFFICE OF TANEY COUNTY 911 ADMINISTRATOR
THIS 15 DAY OF January 2011.

THE UNDERSIGNED BEE CREEK, LLC, A MISSOURI LIMITED LIABILITY COMPANY, DOES HEREBY CERTIFY THAT IT IS THE OWNER IN FEE SIMPLE OF THE FOLLOWING DESCRIBED TRACT OF LAND.

DESCRIPTION:

ALL OF LOT 1, OF SNADON SUBDIVISION, AS PER THE RECORDED PLAT THEREOF, RECORDED IN PLAT BOOK/SLIDE J AT PAGES 41-42, IN THE TANEY COUNTY RECORDER'S OFFICE, TANEY COUNTY, MISSOURI, SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

SAID LAND HAS BEEN SURVEYED AND SUBDIVIDED IN THE MANNER SHOWN HEREON AND SAID SUBDIVISION IS TO BE HEREINAFTER BE KNOWN AS "THE REPLAT OF LOT 1, SNADON SUBDIVISION". ALL STREETS, RIGHT-OF-WAYS AND ROADS SHOWN HEREON ARE RELINQUISHED AND DEDICATED TO THE USE OF THE PUBLIC AND ALL UTILITY EASEMENTS SHOWN HEREON ARE RELINQUISHED AND DEDICATED TO THE USE OF THE APPROPRIATE UTILITY COMPANY.

IN TESTIMONY WHEREOF, THE UNDERSIGNED PROPRIETOR HAS HEREINTO SET HIS HAND THIS 15th DAY OF January, 2011.

BEE CREEK, LLC, A MISSOURI LIMITED LIABILITY COMPANY

ESTACADO HOLDINGS, LLC, ITS MANAGING MEMBER

BY: Steve Redford
STEVE REDFORD, MANAGING MEMBER

ACKNOWLEDGMENT
STATE OF MISSOURI
COUNTY OF TANEY

ON THIS 15th DAY OF January, 2011, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE PERSONALLY APPEARED STEVE REDFORD, MANAGING MEMBER OF ESTACADO HOLDINGS, LLC, A MISSOURI LIMITED LIABILITY COMPANY, WHICH IS THE MANAGING MEMBER OF BEE CREEK, LLC, KNOWN TO ME TO BE THE PERSON WHO EXECUTED THE FOREGOING INSTRUMENT AND THAT SAID INSTRUMENT WAS SIGNED ON BEHALF OF SAID COMPANY BY AUTHORITY OF ITS MANAGING MEMBER. STEVE REDFORD ACKNOWLEDGED AND SAID INSTRUMENT TO THE FREE ACT AND DEED OF SAID ESTACADO HOLDINGS, LLC, AS THE MANAGING MEMBER OF SAID BEE CREEK, LLC.

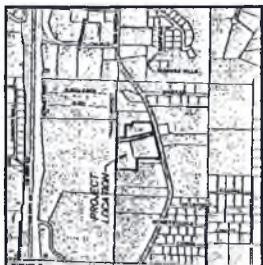
IN TESTIMONY WHEREOF, I HAVE HEREINTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL IN THE COUNTY AND STATE AFORESAID, THE DAY AND YEAR FIRST ABOVE WRITTEN.

SEAL OR STAMP NOTARY PUBLIC



MAURA G. DARST
My Commission Expires
July 20, 2011
Taney County
Commission #0754595

MY COMMISSION EXPIRES: 7/20/2011



DETAIL NOT TO SCALE

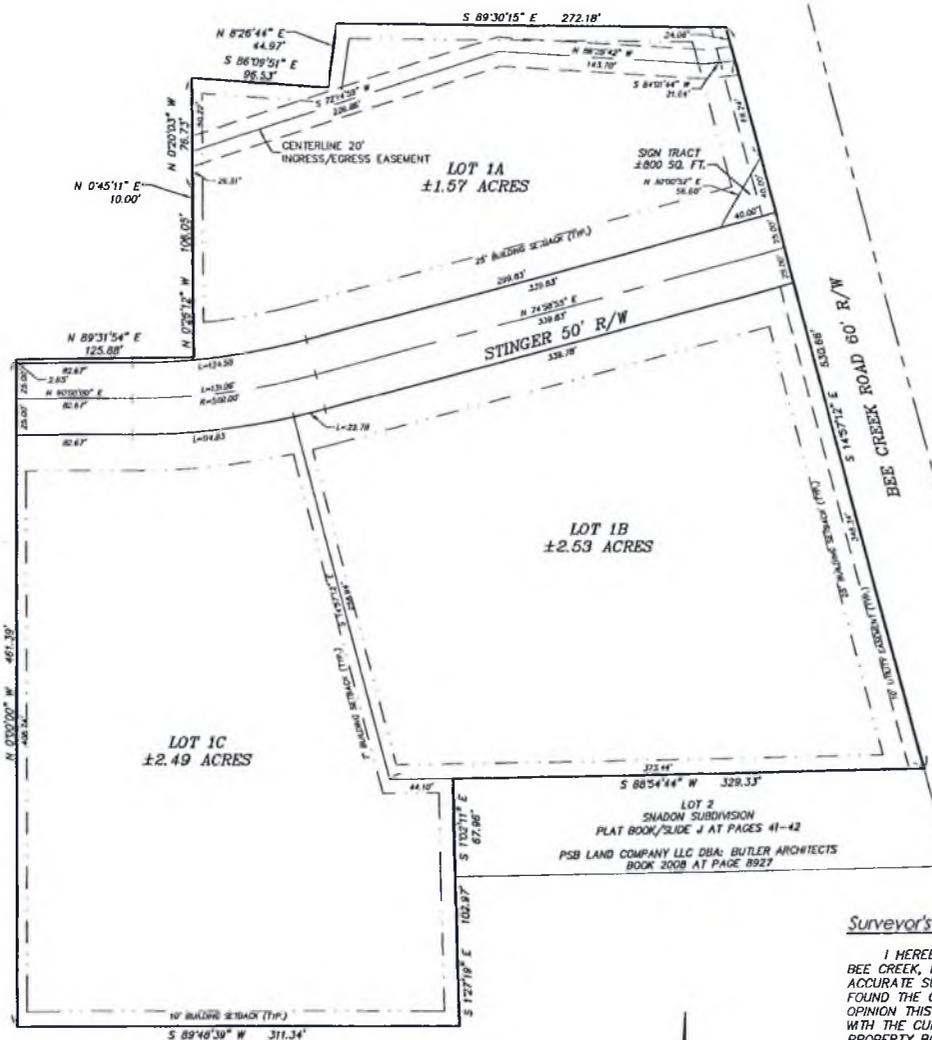
RECORDING FEE \$ 10.00
STATE USER FEE \$ 4.00
TOTAL \$ 14.00

FILED
TIME 10:15 A.M.

JAN 31 2011

Robert A. Dixon
Recorder of Deeds
TANEY COUNTY

GRAPHIC SCALE



James H. Jones
911 REPRESENTATIVE

TANEY COUNTY PLANNING COMMISSION CERTIFICATION:

APPROVED BY THE TANEY COUNTY PLANNING COMMISSION
THIS 15th DAY OF January, 2011.

Paul Klingler
CHAIRMAN

THIS PLAT DOES NOT VIOLATE THE PROVISIONS OF THE TANEY COUNTY DEVELOPMENT CODE.

Eddie Cox RP 11-01
ADMINISTRATOR: EDDIE COXE

PLAT NOTES:

1. ALL LOTS ARE SUBJECT TO SETBACK LINES AND UTILITY EASEMENTS BY TANEY COUNTY PLANNING COMMISSION, TANEY COUNTY, MISSOURI.
2. EASEMENTS: ALL LOTS ARE SUBJECT TO A 10' UTILITY EASEMENT ALONG ALL FRONT AND BACK LOT LINES AND 7' ALONG ALL SIDE LOT LINES EXCEPT SHOWN HEREON.
3. SETBACKS: 25 FEET OFF OF ALL SUBDIVISION ROADS 1/2 REQUIRED FRONT SETBACK OFF ALL SIDE CORNER LOTS 7 FEET OFF ALL SIDE LOTS 10 FEET OFF ALL BACK LOTS
4. ALL LOTS CORNERS WERE STAKED WITH 1/2" REBARS WITH P.L.S. CAP PLACED ON TOP OF PIN, UNLESS NOTED DIFFERENTLY ON PLAT.
5. RESTRICTIVE COVENANTS ARE FILED FOR RECORD AND ARE RECORDED IN THE RECORDS OF TANEY COUNTY RECORDER'S OFFICE IN BOOK 118, AT PAGE 118 DATED 11/18.
6. ALL ROADS SHOWN ON PLAT HAVE A 50 RIGHT-OF-WAY.
7. AREAS: THE TOTAL AREA OF THE PROPERTY IS ±7.23 ACRES. THE TOTAL LOT AREA IS ±6.53 ACRES. THE TOTAL ROAD AREA ±0.64 ACRES.

FLOOD CERTIFICATION:

THE PROPERTY SHOWN ON THIS PLAT IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) BY THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT, ON FLOOD INSURANCE RATE MAP, MAP NUMBER 29213C01B2D, PANEL 162 OF 500 TANEY COUNTY, MISSOURI, MAP EFFECTIVE DATE: SEPTEMBER 29, 2006.

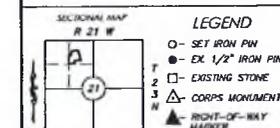
Surveyor's Certification

I HEREBY CERTIFY THAT AT THE REQUEST OF: BEE CREEK, LLC, THAT I HAVE MADE AN ACTUAL AND ACCURATE SURVEY OF THE LAND DESCRIBED HEREON AND FOUND THE CONDITIONS TO BE AS INDICATED. IN MY OPINION THIS SURVEY WAS PERFORMED IN ACCORDANCE WITH THE CURRENT MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS.

ALL PLATS THAT DO NOT SHOW A SEAL IMPRINT IN BLUE INK MAY HAVE BEEN FRAUDULENTLY ALTERED. ALL INFORMATION SHOULD BE DISREGARDED UNLESS VERIFIED BY THE PROFESSIONAL LAND SURVEYOR WHOSE SIGNATURE APPEARS BELOW.

Eddie D. Wolfe
EDDIE D. WOLFE P.L.S. # 2190
JACK E. HOUSEMAN P.S. 2005019222

Surveyed for: BEE CREEK, LLC



LEGEND
○ - SET IRON PIN
● - EX. 1/2" IRON PIN
□ - EXISTING STONE
△ - CORPS MONUMENT
▲ - RIGHT-OF-WAY MARKER

WOLFE SURVEYING, INC.
EDDIE D. WOLFE P.L.S. 2190 (PRESIDENT)
PATRICK W. BROWN (VICE PRESIDENT)
JACK E. HOUSEMAN P.L.S. 2005019222 (SECRETARY)
210 South Third Street, Branson, MO 65618
Phone: 417-334-8820 Fax: 417-334-5151

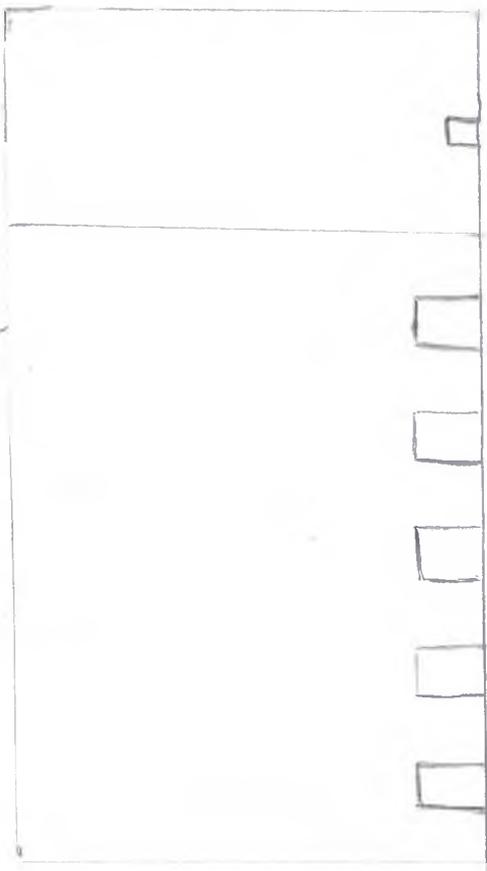
SHEET: 1 OF 1
DATE: 01-27-11 W.C. #1976 DWG #1976-RP L1
DRAWN BY: KMP REV

Bee Creek Rd.

Easement Driveway

30 FOOT

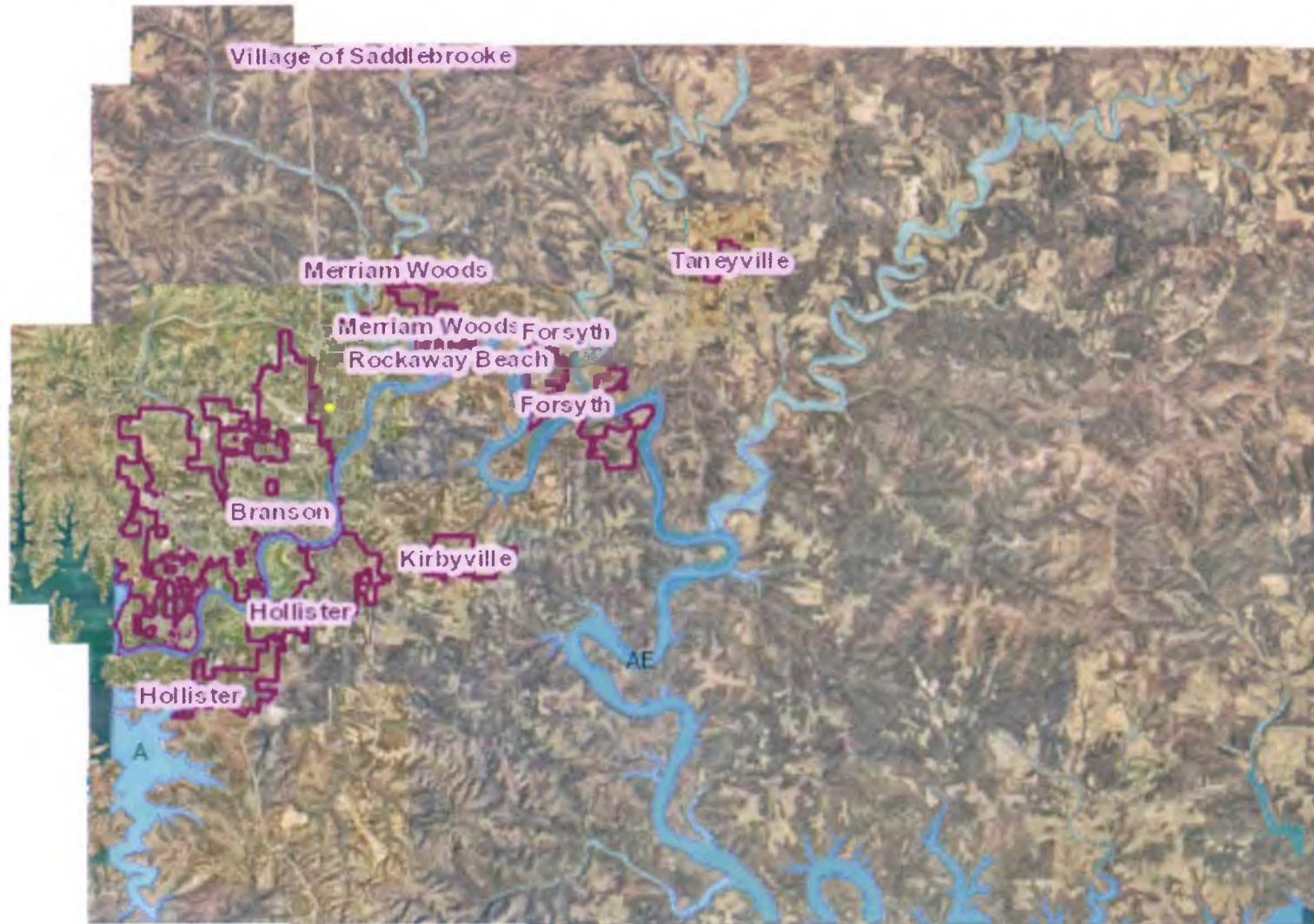
40 FT



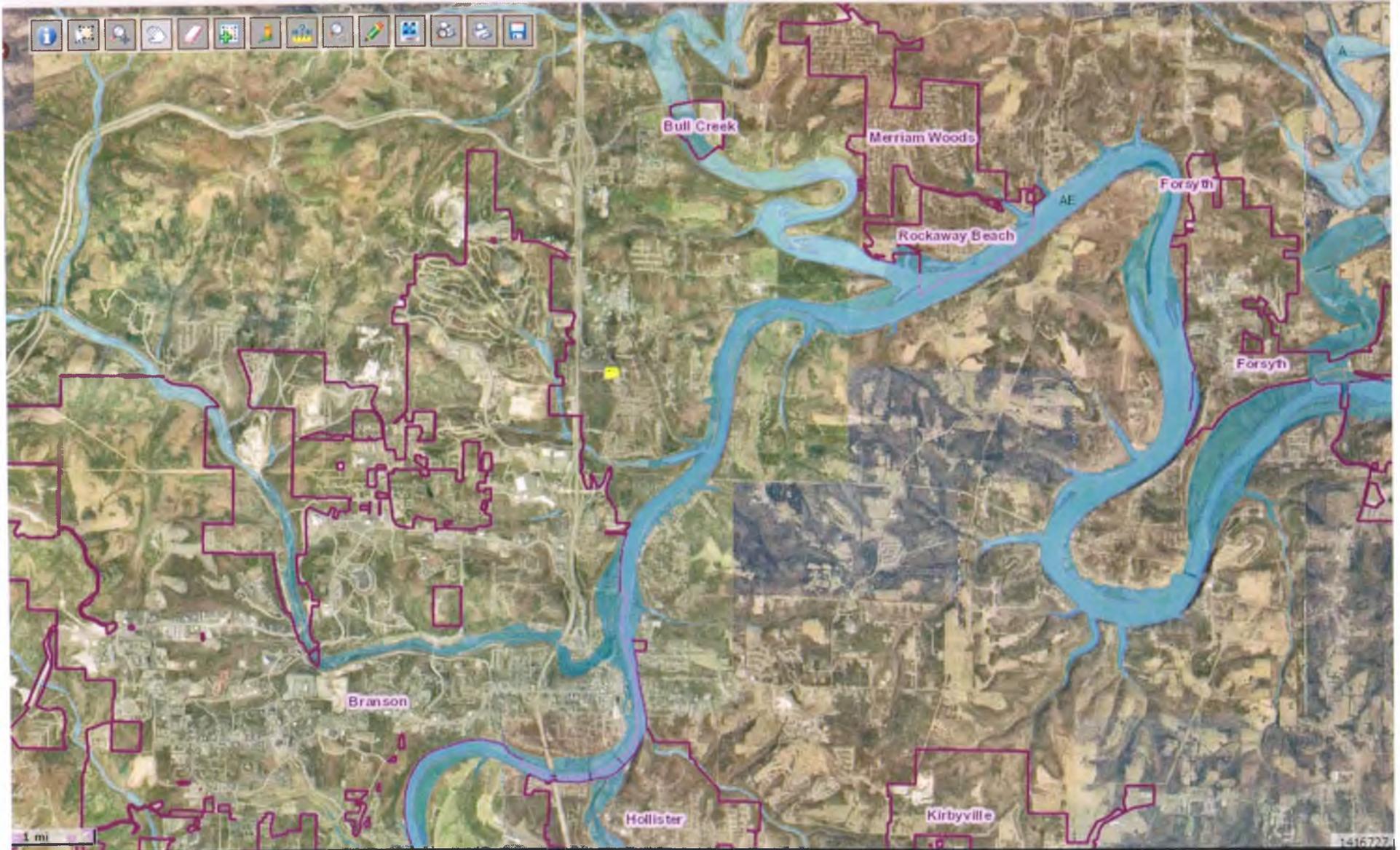
Easement

Stinger Rd.

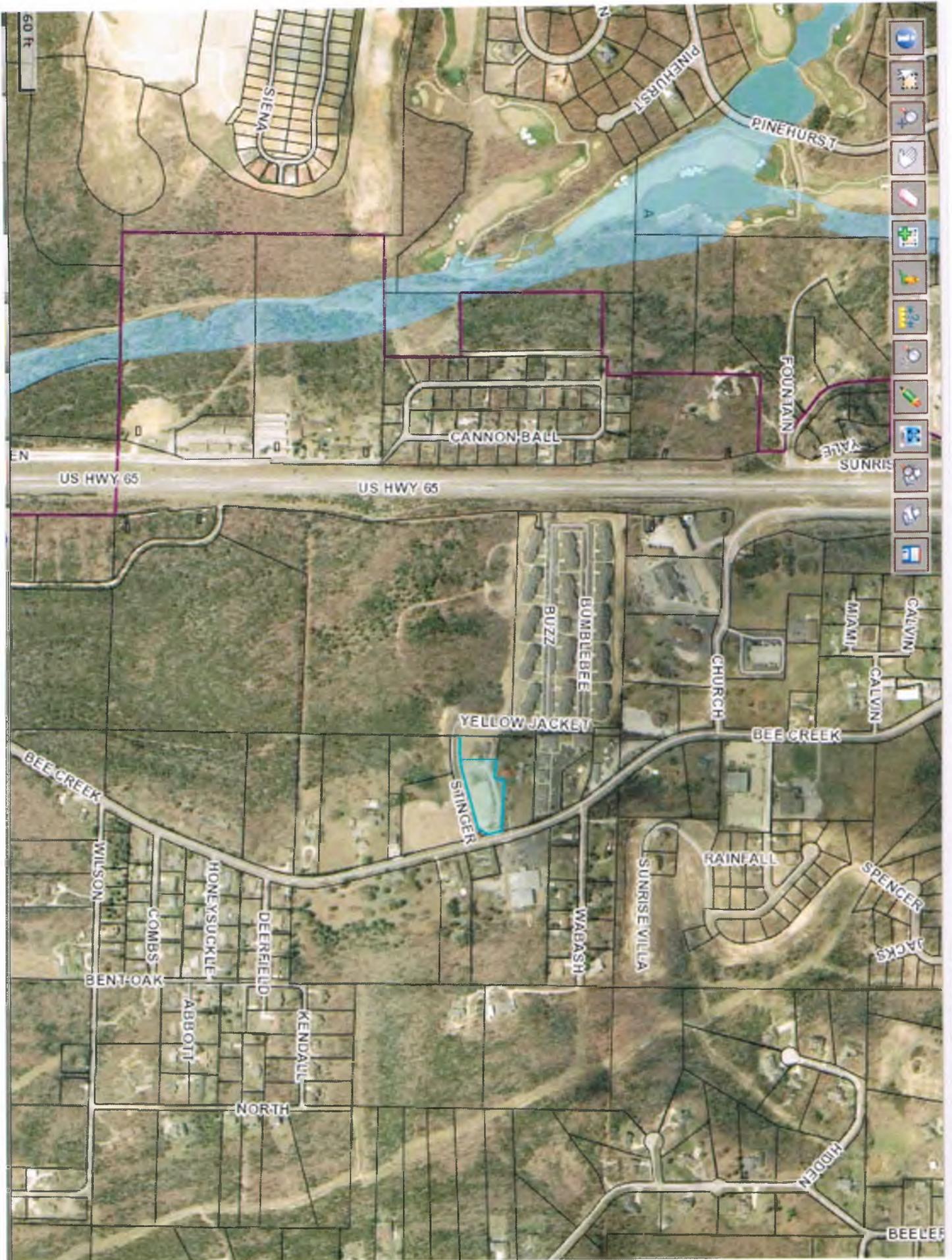
Easement



**Layton Auto Service
Division III Permit 2013-0018
Taney County GIS - Beacon**



**Layton Auto Service
Division III Permit 2013-0018
Taney County GIS - Beacon**



60 Ft

SIENA

PINEHURST

PINEHURST

CANNON BALL

FOUNTAIN

SUNRISE

US HWY 65

US HWY 65

BUMBLEBEE

BUZZ

CHURCH

MIAMI

CALVIN

CALVIN

YELLOW JACKET

BEE CREEK

BEE CREEK

STINGER

WILSON

HONEYSUCKLE

DEERFIELD

WABASH

RAINFALL

SUNRISE VILLA

SPENCER

JACKS

BENT OAK

COMBS

ABBOTT

KENDALL

NORTH

HIDDEN

BEELEF







**Layton Auto Service
Division III Permit 2013-0018
Pictometry – North View**



**Layton Auto Service
Division III Permit 2013-0018
Pictometry – South View**



**Layton Auto Service
Division III Permit 2013-0018
Pictometry – East View**



**Layton Auto Service
Division III Permit 2013-0018
Pictometry – West View**

NOTICE OF PUBLIC HEARING

THE TANEY COUNTY PLANNING COMMISSION

Will Hold A Public Hearing Concerning The
Following Requested Zone Change
Under the Division III Process

Applicant: Gail Layton

Proposed Development: Layton Auto
Service

Property Location: 142 Bee Creek Rd

Hearing Location: Taney County Courthouse

Time: 6:00 PM Date: 9-13

Phone: 417-546-7225

















BOYS AND GIRLS CLUB

H. SCHMIDT

BOYS AND GIRLS CLUB



KAY'S TRASH SERVICE
335-6250

0100812



TANEY COUNTY PLANNING COMMISSION DIVISION III STAFF REPORT

HEARING DATE: September 9, 2013

CASE NUMBER: 2013-0019

PROJECT: Cardwell Automotive

APPLICANT: Charles Harris

REPRESENTATIVE: Adam Cardwell

LOCATION: The subject property is located at 122 Delaware Road, Kirbyville, MO; Swan Township; Section 21, Township 23, Range 20.

REQUEST: The representative, Adam Cardwell is requesting approval of a Division III Permit authorizing the establishment of a pre-owned auto sales facility.

BACKGROUND and SITE HISTORY:

This +/- 5.00 acre meets and bounds described tract of land is currently home to Harris Mechanical, a heating a air conditioning business.

The applicant is seeking the Planning Commission approval of a Division III Permit in order to establish a pre-owned auto sales facility.

The current application was approved for Concept on August 19, 2013.

GENERAL DESCRIPTION:

The proposed Cardwell Automotive will consist of an 80 square foot (8' x 10') office building and a gravel parking area for the display and sales of pre-owned automobiles, on the approximately 5.00 acre meets and bounds described tract.

The proposed hours of operation will be Monday through Saturday 7:00 AM to 1:00 PM. During the Concept Hearing the representative indicated that the facility will display no more than four (4) or five (5) at one time. The representative has further indicated that there will be no cars serviced on-site. All of the cars will either be kept clean on-site, via a mobile washing service or will be taken off-site for cleaning. The representative has indicated that the pre-owned auto sales facility will not be served by either a restroom or water. Harris Mechanical will provide restroom facilities for customers. The representative plans to continue Cardwell Automotive on a part-time basis.

REVIEW:

The representative has indicated that due to the part-time nature of the business, Cardwell Automotive will not be served by a restroom facility or water. The Property owner, Harris Mechanical will provide restroom facilities for customers.

Per the provisions of Appendix J (On-Site Parking and Loading) auto sales and service centers require 1 parking space for every 300 square feet. There will be ample space within the 5 acres for parking.

The representative is proposing to access the property via a driveway off of Delaware Road.

The adjoining property immediately to the north is State Highway 76 and vacant property. The adjoining property immediately to the south is primarily single-family residential. The adjoining property immediately to the east is Delaware Road, single-family residential and vacant. The adjoining property immediately to the west is commercial.

The project received a score of -15 on the Policy Checklist, out of a maximum possible score of 39. The relative policies receiving a negative score consist of sewage disposal, emergency water supply, waste disposal service, use compatibility and utilities.

SUMMARY:

If the Taney County Planning Commission approves this request, the following requirements shall apply, unless revised by the Planning Commission:

1. Compliance with the provisions of the Taney County Development Guidance Code.
2. Compliance letters from the Central Taney County Fire Protection District and the Taney County Road and Bridge Department.
3. A current copy of the Missouri State Dealership License shall be provided to the Planning Department office.
4. A twenty-five (25) foot wide vegetative buffer shall be maintained between the Cardwell Automotive business and the adjoining residences to the south and east.
5. Parking shall be provided in compliance with the provisions of the Taney County Development Guidance Code.
6. Normal business hours of operation shall be Monday through Friday 7:00 AM to 1:00 PM.
7. No outside storage of equipment or solid waste materials, other than automobiles.
8. This decision is subject to all existing easements.
9. Division II Permits will be required for all applicable structures in the development (Chapter 3 Sec. I Item B).
10. Prior to the issuance of Division II Certificates of Conformance (C of Cs), the developer shall first present a Certificate of Occupancy (C of O) from the Western Taney County Fire Protection District to the Taney County Planning Department Office.
11. All light sources within the facility shall be arranged so that no direct illumination leaves the site toward adjacent residential areas or any roadways.
12. This Decision of Record shall be filed with the Taney County Recorder of Deeds Office within 120 days or the approval shall expire (Chapter II Item 6).

**Division III Relative Policy Scoring Sheet:
Eastern Taney County**

Performance Value	Importance Factor	Score	Section Score
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Water Quality

SEWAGE DISPOSAL	n/a=			
centralized system	2	5	-1	-5
on-site treatment system(s) with adequate safeguards to mitigate pollution	1			
septic system of adequate design and capacity	0			
proposed system may not provide adequate capacity	-1			
proposed solution may cause surface and/or ground water pollution	-2			

Environmental Policies

STORM DRAINAGE	n/a=	x		
on-site stormwater retention and absorption with engineered plans	2	4		
on-site stormwater retention and absorption without engineered plans	1			
stormwater retention with managed and acceptable run-off	0			
no stormwater retention, but adverse impacts from run-off have been mitigated	-1			
no acceptable management and control of stormwater run-off	-2			

AIR QUALITY	n/a=	x		
cannot cause impact	0	4		
could impact but appropriate abatement installed	-1			
could impact, no abatement or unknown impact	-2			

Critical Areas

PRESERVATION OF CRITICAL AREAS	n/a=	x		
no adverse impact to any designated critical area	2	3		
one of the designated critical areas impacted but can be fully mitigated	1			
more than one of the designated critical areas impacted but can be fully mitigated	0			
one or more of the designated critical areas impacted and mitigation not fully effective	-1			
one or more of the designated critical areas impacted with no ability to mitigate problem	-2			

Land Use Compatibility

OFF-SITE NUISANCES	n/a=			
no issues	2	4	2	8
minimal issues, but can be fully mitigated	1			
issues that can be buffered and mitigated to a reasonable level	0			
buffered and minimally mitigated	-1			
cannot be mitigated	-2			

USE COMPATIBILITY	n/a=			
no conflicts / isolated property	0	4	-1	-4
transparent change / change not readily noticeable	-1			
impact readily apparent / out of place	-2			

**Division III Relative Policy Scoring Sheet:
Eastern Taney County**

	Performance Value	Importance Factor	Score	Section Score
STRUCTURAL SCREENING OF ROOFTOP EQUIPMENT & VENTS n/a=	x			
no rooftop equipment / vents or blocked from view by structure design or screening	0	3		
partially blocked from view	-1			
exposed / not blocked from view	-2			
STRUCTURAL SCREENING OF SOLID WASTE CONTAINERS n/a=	x			
no on-site waste containers or blocked from view by structure design or screening	0	3		
partially blocked from view	-1			
exposed / not blocked from view	-2			
STRUCTURAL SCREENING OF OUTDOOR EQUIP, STORAGE, ETC. n/a=	x			
no outdoor storage of equipment, materials, etc., or outdoor work areas	2	3		
blocked from view by structure design	1			
blocked from view using screening	0			
partially blocked from view	-1			
exposed / not blocked from view	-2			
LANDSCAPED BUFFERS -- RESIDENTIAL n/a=	x			
approved landscaped buffer between homes and all streets / roads / highways	2	2		
approved landscaped buffer from major roads / highways only	1			
minimal landscaped buffer, but compensates with expanse of land	0			
no landscaped buffer between residences and local streets	-1			
no landscaped buffer from any road	-2			
LANDSCAPED BUFFERS - INDUSTRIAL n/a=	x			
approved landscaped buffer from public roads	0	3		
minimal landscaped buffer, but compensates with expanse of land	-1			
no landscaped buffer from public roads	-2			
Local Economic Development				
AGRICULTURAL LANDS n/a=	x			
no conversion of Class I-IV agricultural land to other use(s)	0	1		
development requires reclassification of Class I-IV agricultural land to other use(s)	-2			
RIGHT TO FARM n/a=	x			
does not limit existing agricultural uses / does not cause nuisance, predation	0	3		
does not limit existing agricultural uses, but may result in minor nuisance	-1			
potential impact(s) on existing agricultural land	-2			
RIGHT TO OPERATE n/a=	x			
no viable impact on existing industrial uses by residential development	0	2		
potential impact but can be mitigated	-1			
potential impact on existing industrial uses with no mitigation	-2			

**Division III Relative Policy Scoring Sheet:
Eastern Taney County**

Performance Value	Importance Factor	Score	Section Score
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DIVERSIFICATION	n/a=			
creates >=5 full-time, year-round jobs outside of recreation / resort sector	2	4	0	0
creates full-time, year-round and seasonal jobs	1			
creates seasonal jobs only	0			

Site Planning, Design, Occupancy

RESIDENTIAL PRIVACY	n/a=			
privacy provided by structural design, or not applicable	2	2		
privacy provided by structural screening	1			
privacy provided by landscaped buffers	0			
privacy provided by open space	-1			
no acceptable or effective privacy buffering	-2			

MIXED-USE DEVELOPMENTS	n/a=			
uses / functions are compatible or not applicable	2	3		
uses / functions are integrated and separated based on compatibility	1			
uses / functions differ minimally and are not readily apparent	0			
uses / functions poorly integrated or separated	-1			
uses / functions mixed without regard to compatibility factors	-2			

Commercial Development

DEVELOPMENT PATTERN / BUFFERING	n/a=			
approved and effectively designed landscaped buffers between structures and all roads	2	4		
minimal landscaped buffering, but compensates with expanse of land	1			
minimal landscaped buffering	0			
no landscaped buffering, but utilizes expanse of land	-1			
no or inadequate buffering or separation by land	-2			

Services - Capacity and Access

UTILITIES	n/a=			
adequate utilities capacity as evidenced by letter from each utility	0	4	-1	-4
adequate utilities capacity without formal letter from each utility or not from all utilities	-1			
inadequate information to determine adequacy of utilities	-2			

TRAFFIC	n/a=			
no impact or insignificant impact on current traffic flows	0	2	0	0
traffic flow increases expected but manageable using existing roads and road accesses	-1			
traffic flow increases exceed current road capacities	-2			

EMERGENCY SERVICES	n/a=			
structure size and/or access can be serviced by emergency equipment	0	3	0	0
structure size and/or access may impede but not hinder serviceability	-1			
structure size and/or access could be problematic or non-serviceable	-2			

**Division III Relative Policy Scoring Sheet:
Eastern Taney County**

	Performance Value	Importance Factor	Score	Section Score
RIGHT-OF-WAY OF EXISTING ROADS n/a=				
greater than 50 ft. right-of-way	1	5	1	5
50 ft. right-of-way	0			
40 ft. right-of-way	-1			
less than 40 ft. right-of-way	-2			
Internal Improvements				
WATER SYSTEMS n/a=	x			
central water system meeting DNR requirements for capacity, storage, design, etc.	2	3		
community well / water system meeting DNR requirements	1			
private wells meeting DNR requirements	0			
private wells not meeting any established standards	-1			
individual / private wells	-2			
EMERGENCY WATER SUPPLY n/a=				
fire hydrant system throughout development with adequate pressure and flow	0	5	-2	-10
fire hydrant system with limited coverage	-1			
no fire hydrant system	-2			
PEDESTRIAN CIRCULATION n/a=	x			
paved and dedicated walkways (no bicycles) provided throughout development	2	4		
paved walkways provided throughout development / maybe shared with bicycles	1			
designated walkways provided but unpaved	0			
no pedestrian walkways, but green space provided for pedestrian use	-1			
no designated pedestrian walkway areas	-2			
PEDESTRIAN SAFETY n/a=	x			
separation of pedestrian walkways from roadways by landscape or structural buffer	2	2		
separation of pedestrian walkways from roadways by open land buffer	1			
pedestrian walkways abut roadways with no buffering / protection	0			
BICYCLE CIRCULATION n/a=	x			
dedicated / separate bike-ways with signage, bike racks, trails	2	1		
bicycle lanes shared with pedestrian walkways but separated by markings / signs	1			
no designated bike-ways	0			
UNDERGROUND UTILITIES n/a=				
all utilities are provided underground up to each building / structure	2	4	0	0
all utilities traverse development underground but may be above ground from easement	1			
utilities above ground but / over designated easements	0			
utilities above ground and not within specific easements	-1			
no specific management of utilities	-2			

Division III Relative Policy Scoring Sheet: Eastern Taney County	Performance Value	Importance Factor	Score	Section Score
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Open-Space Density				
USABLE OPEN SPACE	n/a=	x		
residential developments (>25 units) include more than 25% open recreational space		2	2	
residential developments (>25 units) offer >10% but <25% open recreational space		1		
recreational area provided, but highly limited and not provided as open space		0		
no designated recreational space provided, but open space available		-1		
no open recreational space provided		-2		
Solid Waste Disposal				
SOLID WASTE DISPOSAL SERVICE AVAILABILITY	n/a=			
weekly service is available and documentation of availability provided		0	5	-1
weekly service reportedly available but not documented		-1		
centralized, on-site trash collection receptacles available		-2		
SOLID WASTE DISPOSAL SERVICE COMMITMENT	n/a=	x		
restrictive covenants provide for weekly disposal for each occupied structure		0	5	
services available but not a requirement documented in covenants		-1		
not applicable / no pick-up service provided		-2		

Total Weighted Score= -15
Maximum Possible Score= 39
Actual Score as Percent of Maximum= -38.5%
Number of Negative Scores= 5
Negative Scores as % of Total Score= 14.3%

Scoring Performed by:
Bob Atchley / Bonita Kisse

Date:
August 29, 2013

Project: **Cardwell Automotive**

Permit#: **13-19**

Policies Receiving a Negative Score	
Importance Factor 5:	sewage disposal emergency water supply waste disposal service
Importance Factor 4:	use compatibility utilities
Importance Factor 3:	none
Importance Factor 2:	none
Importance Factor 1:	none

Scoring by: *Bob Atchley / Bonita Kisse*

Date: *August 29, 2013*

Eastern District Relative Policies: Division III Permit

Project: **Cardwell Automotive**

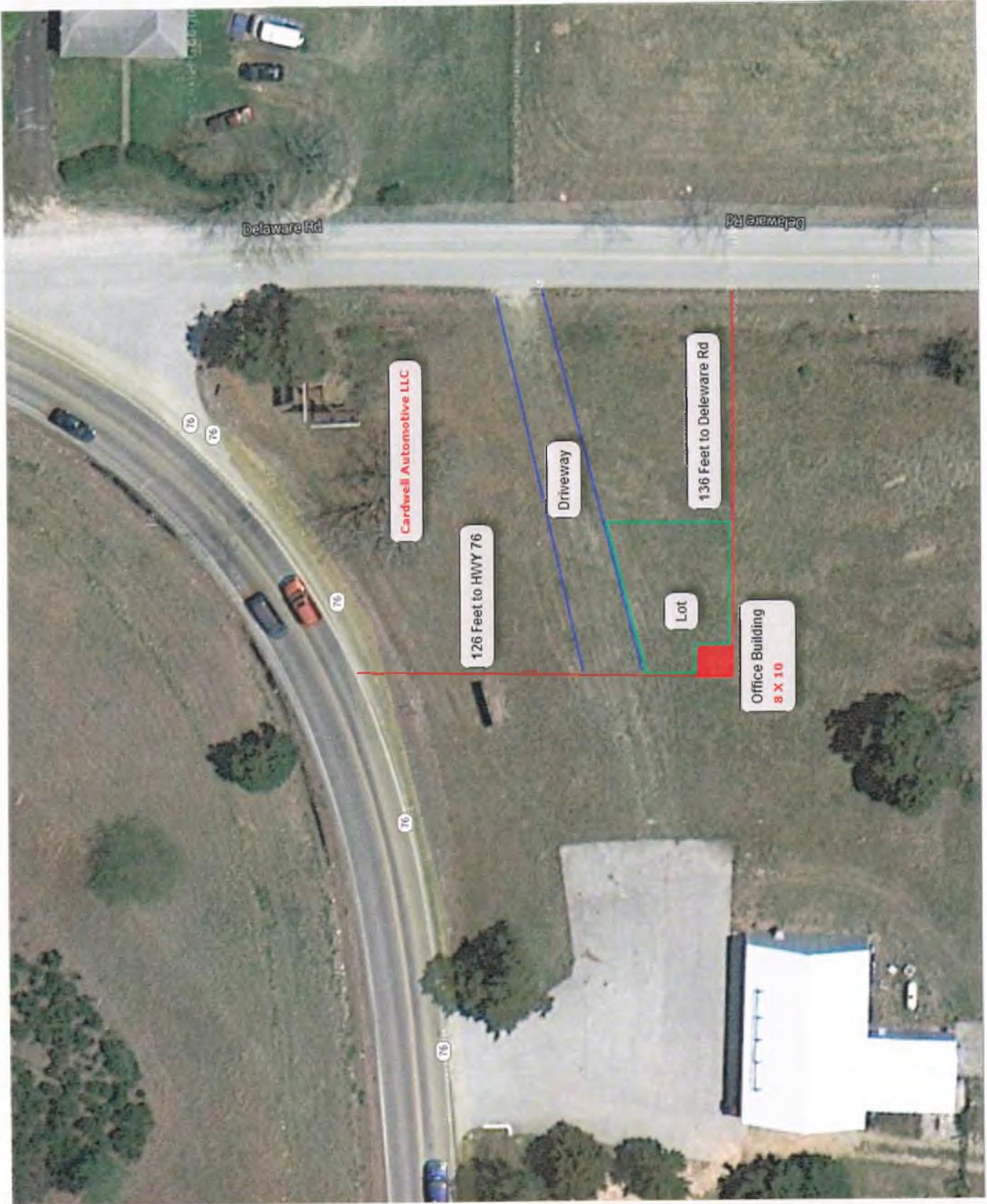
Permit: **13-19**

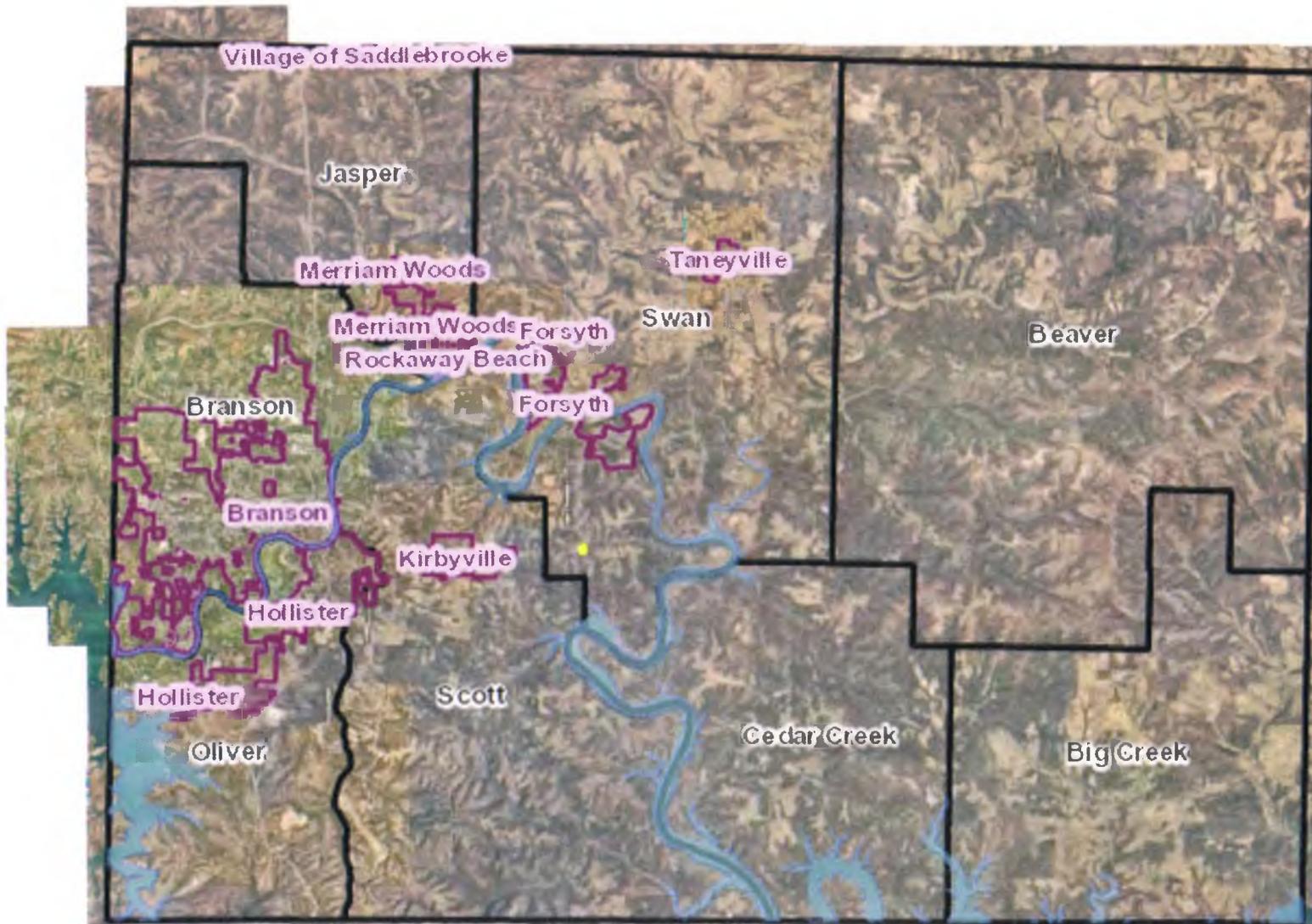
	Max. Possible	As Scored	%	Total Negative Scores	
Scoring	39	-15	-38.5%	5	45.5%

	Max. Possible	As Scored	Negative Scores	
			Number of	Percent
Importance Factor 5	15	-15	3	75.0%
sewage disposal	10	-5		
right-of-way / roads	5	5		
emergency water supply	0	-10		
waste disposal service	0	-5		
waste disposal commitment				
Importance Factor 4			2	40.0%
stormwater drainage				
air quality				
off-site nuisances	8	8		
use compatibility	0	-4		
diversification	8	0		
development buffering				
utilities	0	-4		
pedestrian circulation				
underground utilities	8	0		
Importance Factor 3				
preservation of critical areas				
screening of rooftop equip				
screening / waste containers				
screening of outdoor equip				
industrial landscape buffers				
right to farm				
mixed-use developments				
emergency services	0	0		
water systems				
Importance Factor 2				
residential landscape buffers				
right to operate				
residential privacy				
traffic	0	0		
pedestrian safety				
usable open space				
Importance Factor 1				
agricultural lands				
bicycle circulation				

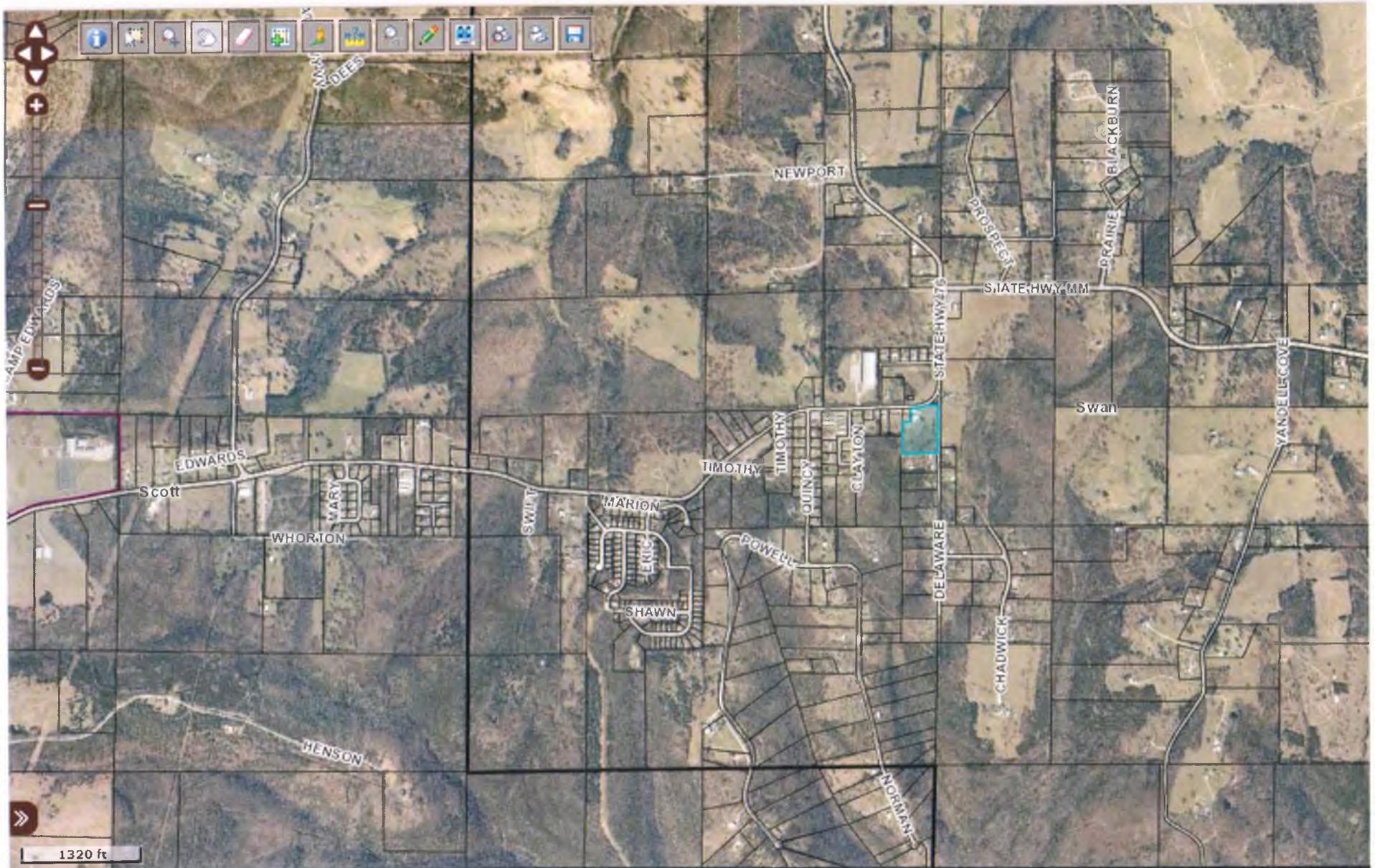
Scoring by: *Bob Atchley / Bonita Kisse*

Date: *August 29, 2013*





**Cardwell Automotive, LLC
Division III Permit 2013-0019
Taney County GIS - Beacon**



**Cardwell Automotive, LLC
Division III Permit 2013-0019
Taney County GIS - Beacon**



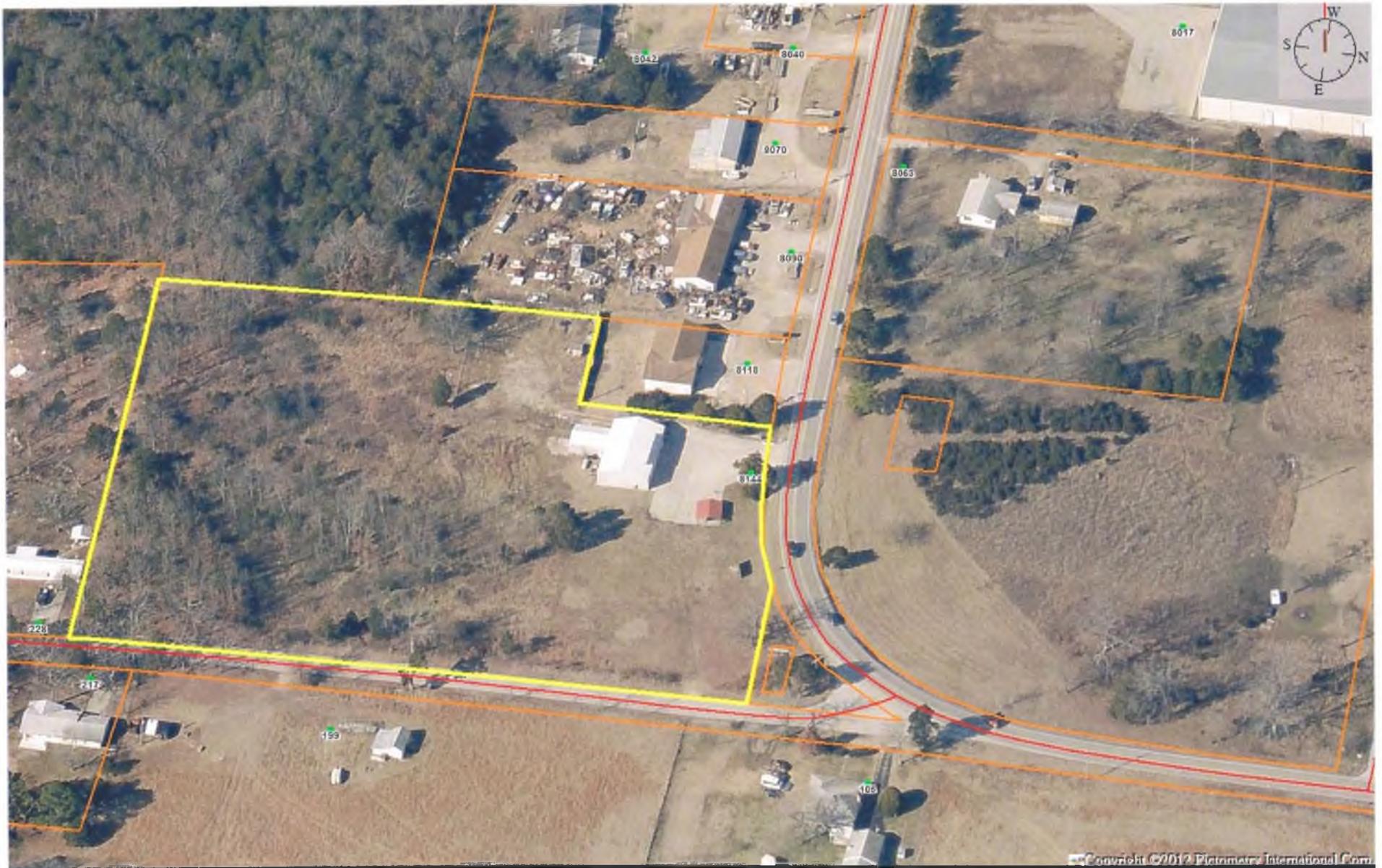




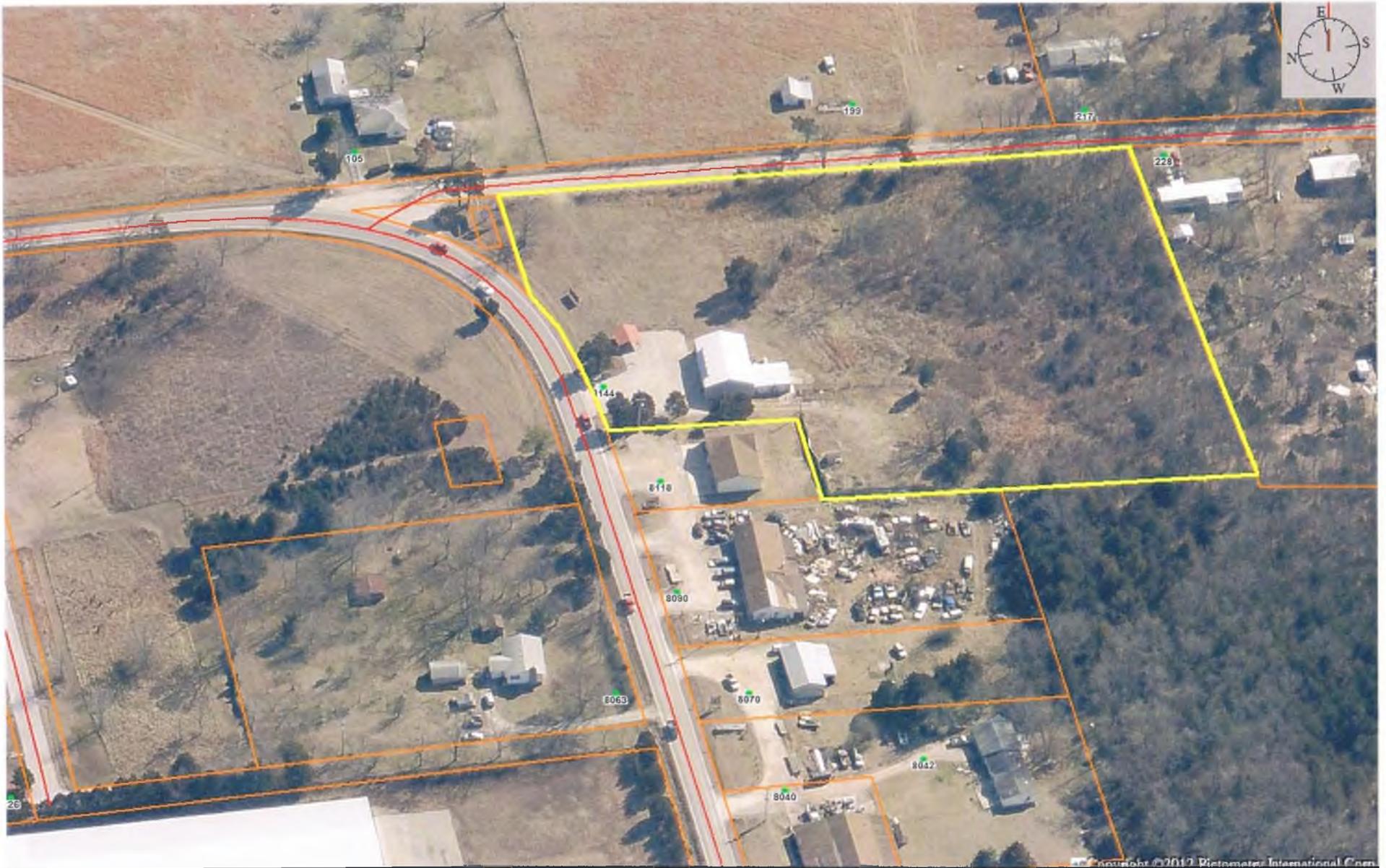
**Cardwell Automotive, LLC
Division III Permit 2013-0019
Pictometry – North View**



**Cardwell Automotive, LLC
Division III Permit 2013-0019
Pictometry – South View**



**Cardwell Automotive, LLC
Division III Permit 2013-0019
Pictometry – East View**



**Cardwell Automotive, LLC
Division III Permit 2013-0019
Pictometry – West View**

PUBLIC HEARING

THE TANEY COUNTY PLANNING COMMISSION

Will Hold A Public Hearing Concerning The
Following Requested Zone Change

Under the Division III Process

Applicant: Charles Harris

Proposed Development: Cardwell
Automotive, LLC

Property Location: 122 Delaware Rd.

Hearing Location: Taney County Courthouse

Time: 6:00 PM Date: 9-9-13

Phone: 417-46-7225

**FOR
LEASE**
546-3430
BERRY SIGNS





NOTICE OF PUBLIC HEARING
THE PLANNING COMMISSION
will hold a public hearing on the proposed
[illegible] on [illegible] at [illegible] on [illegible] at [illegible].
The hearing will be held at [illegible] on [illegible] at [illegible].
The public is invited to attend and voice their opinion on the proposed [illegible].
For more information, contact [illegible] at [illegible].

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