



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
REGULAR MEETING
MONDAY, JUNE 20, 2011, 6:00 P.M.
COUNTY COMMISSION HEARING ROOM
TANEY COUNTY COURTHOUSE

Call to Order:

Establishment of Quorum
Explanation of Meeting Procedures

Review and Action:

Minutes, May 2011

Final Votes:

Emory Creek Replat of Lot 110
Simplicity Salon, LLC

Concepts:

Hickory Ridge
Hickory II

Old and New Business:

Tentative

Adjournment.



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**MINUTES
TANEY COUNTY PLANNING COMMISSION
PUBLIC HEARING
TUESDAY, MAY 10, 2011, 6:00 P.M.
COUNTY COMMISSION HEARING ROOM
TANEY COUNTY COURTHOUSE**

Call to Order:

Chairman Sarah Klinefelter called the meeting to order at 6:00 p.m. A quorum was established with six members present. They were: Sarah Klinefelter, Shawn Pingleton, Randall Cummings, Susan Martin, Dave Stewart, and Ray Edwards. Staff present: Bob Atchley and Bonita Kissee.

Mr. Atchley read a statement outlining the procedures for the public hearing and presented the exhibits.

Public Hearings:

Underhill Heights: a request by Jason Brawner to utilize a permitted, gated townhouse community for nightly rentals located at Victor Church and Beaumont Road. Mr. Atchley read the staff report and presented pictures, maps and a video of the site. Mrs. Klinefelter asked for a plat of the property. Public who signed up to speak were: Tom Goldsworthy who lives on Victor Church road. He was not in favor of the request, and stated that he was representing some other property owners as well who were not in favor because their feeling was the property was too dense and the use was not compatible with the surrounding area. Mr. Goldsworthy also stated that Victor Church Road floods and would prohibit residents from crossing the road. They were also concerned with wastewater disposal. Laura Curbow another property owner was not in favor of the request because in her opinion the request was not compatible with the surrounding area. She was also concerned about her livestock and if she could start a kennel. Mrs. Klinefelter reminded that for the past four years the economy and real estate market have been bad. Jim Brawner father of the applicant, addressed the concerns. He reported that he met with law enforcement regarding the vandalism issues. He also reported that some surrounding neighbors were watching the property for them. The property does not flood as it is on top of the hill according to Mr. Brawner. The engineering firm hired by Mr. Brawner did a study on the wastewater system and has DNR approval. Mr. Brawner lives in a similar situation and stated that there have been no problems mentioned by the public. He also reminded the

Commission of their original decision. Mr. Brawner stated that he does not want to bring in the wrong kind of clientele or cause any problems in the neighborhood and wants to keep the integrity of how the project was originally intended. He only wants to be able to use the property as best he can with the failing economy. Mr. Pingleton was concerned that when the use might change screening would have to be done as the Code states "structural screening between commercial and residential uses". The surrounding roads were discussed and maintenance of them. Three of the roads are private access roads recorded within the subdivision. Mrs. Klinefelter clarified the project. This project will proceed to final vote on May 16, 2011.

The Stables at Integrity Hills: a request by Quality Structures to subdivide 2.06 acres as a minor subdivision and to utilize an existing structure as a reception hall located at Integrity Hills Estates off Tate Road. Mr. Atchley read the staff report and presented pictures, maps and a video of the site. No one signed up to speak. Eddie Wolfe representing the project stated that they have fire district approval. He requested a temporary cul-de-sac or hammerhead on the plat and in case the rest of the property is developed, could be removed. Mrs. Klinefelter asked Mr. Wolfe to clarify the request. He stated that at this time the applicant wants to plat some lots and put all of it into one entity, creating a one lot subdivision. Mrs. Klinefelter discussed commercial usage. Mr. Wolfe stated that the only commercial use would be when a wedding takes place in the chapel and reception hall, and explained how the original Division I was issued for a barn. This project will proceed to final vote on May 16, 2011.

Brass Lantern Resort: a request by Someday Ranch, LLC to replat Lot 14 of the Johnnie B. Jones Subdivision creating a six lot subdivision and to increase density of the units on the resort. The property is located at 5133 Brass Lantern Road. Jenny Baltz a neighbor from across the road spoke against the project and represented various property owners. They are not in favor because they feel the request is not any different from the time before. Their concerns are that the area will be torn up and not completed, the fire department is 8 miles away, the new plan is still too dense, wastewater treatment and who will maintain, the two lots across the road being able to meet the setback requirements if structures are built on them, and who will be responsible for the dock. Jack Sparks another property owner lives next to the lot where the treatment plant is planned, and wants to know what kind of wastewater treatment it will be. He was also concerned that the project would not be finished. Ken Baltz who also lives on Brass Lantern Road stated concerns regarding the resort not having any income potential and how would the project be completed, wastewater disposal and maintenance and noise. He stated that the structures in the area do have good private wastewater systems and the neighborhood is not "rundown". He was concerned about the one lane road that leads to the property and that to develop the property any further would interfere with the solitude of the property owners. Mrs. Klinefelter asked how close the flood got to the property, and Mr. Baltz stated that it is about 250' from the property, and there is an issue with the boat docks. Cindy Hostler owns two cabins next to the property, and reported that the applicant told her that Taney County does

not have any rules concerning condos. Ms. Hostler expressed concern that the property will be destroyed and the applicant has no concern with the current property owners. Eddie Wolfe representing the applicant, explained two changes that have been made since the denial. The applicant has a 14/42 interest in the community well, so a new well will be drilled. He explained that because two cabins will be joined there is no increase in density. No new water lines will be run. The proposed sewer will come before the Sewer Board for approval soon. This request is condominium style of ownership with no change in the footprint. Discussion followed regarding well interest, and the current market. This project will proceed to final vote on May 16, 2011.

Old and New Business:

Eddie Wolfe addressed the Planning Commission regarding the Hickory Ridge plat. No file can be found in the Planning Office and the property owner wants to sell more lots. The question was if the applicant should come before the Planning Commission for approval. The Planning Commission asked that the request appear before them at the Concept hearing in June.

Mr. Atchley updated the Commission on the recent flood event and staff's role in gathering information for FEMA. Discussion followed.

Adjournment:

With no other business on the agenda for Tuesday, May 10, 2011 the meeting adjourned at 8:05 p.m.



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**MINUTES
TANEY COUNTY PLANNING COMMISSION
REGULAR MEETING
MONDAY, MAY 16, 2011, 6:00 P.M.
COUNTY COMMISSION HEARING ROOM
TANEY COUNTY COURTHOUSE**

Call to Order:

Vice-Chairman Shawn Pingleton called the meeting to order at 6:00 p.m. A quorum was established with six members present. They were Shawn Pingleton, Randall Cummings, Susan Martin, Dave Stewart, Ray Edwards, and Rick Caudill. Staff present: Bob Atchley and Bonita Kisse.

Mr. Atchley read a statement outlining the procedures for the meeting.

Review and Action:

Minutes; April 2011, with no additions or corrections a motion was made by Susan Martin to approve the minutes as written. Seconded by Rick Caudill. The vote to approve the minutes was unanimous.

Final Votes:

Underhill Heights: request by Jason Brawner to operate a nightly rental business from a previously approved project located at Victor Church and Beaumont Roads. Jim Brawner was present to address questions from the Commission. Mr. Pingleton clarified the request. Mrs. Martin asked if anyone would be living on premise. Mr. Brawner stated there would be a management company running the complex for the owner. If full time nightly rental is approved someone will be there full time to operate the business. Jason Brawner addressed the questions of nightly rental in a mixed use area and setting precedence. Discussion followed regarding setting a time limit to a minimum of nights rented. Mr. Brawner felt that he would be comfortable with three nights minimum. After discussion a motion was made by Susan Martin to approve based upon the decision of record with the addition of a management company when rented nightly, 24 hours and a minimum of 5 night rental. Seconded by Rick Caudill. Ray Edwards voted no. The vote to approve was five in favor and one against.

The Stables at Integrity Hills: request by VTS Dev. LLC to permit an existing building to be used for receptions and weddings located at Tate Road. Eddie Wolfe representing the applicant addressed questions from the Commission, and Mr. Pingleton

clarified the request. With no questions or discussion, a motion was made by Randall Cummings to approve based upon the decision of record. Seconded by Rick Caudill. The vote to approve was unanimous.

Brass Lantern: request by Someday Ranch LLC to divide 2.84 acres into five condominium style units, four residential units and a treatment plant located at Brass Lantern Circle. Mr. Wolfe also represented this applicant, and Mr. Pingleton clarified the request. Mr. Atchley asked for clarification of the location of the condos and density. Mr. Wolfe stated that the density would stay the same. Mr. Caudill questioned type of wastewater disposal and well. Mr. Atchley discussed a meeting with the sewer district and DNR and reported that the plans that were submitted are for an alternative system and would require DNR approval. Discussion followed regarding compliance with the requirements of the Code regarding water and wastewater, platting, and density. Mr. Caudill stated that he would like more information regarding the advanced sewer system before he would make a motion. Mr. Pingleton stated that compliance letters should be in the file before a plat could be filed. Mr. Stewart asked if there was any rule that needed to be met at this point. Mr. Atchley answered no. A motion was made to approve based upon the decision of record. Seconded by Dave Stewart. Ray Edwards voted no. The motion to approve was five in favor and one against.

Concepts:

Simplicity Salon, LLC: a request by Charlotte Roberts to operate a small hair salon from a single family dwelling located at 857 Bee Creek. Maggie Desota representing the applicant explained the request. Mr. Atchley reported that the applicant wanted this to be a special use, however, this use is not compatible under the Code, so this will be applied for under the Division III process. Ms. Desota stated that there will be a circle drive constructed for turn-around, and there will not be any employees. Mr. Pingleton asked for parking standards for the next meeting, and the maximum number of customers. The business will be open at a maximum of five days a week. Mr. Atchley asked for a site plan and proposed buffering for the next meeting. This project will proceed to public hearing next month.

Emory Creek Replat: a request by Jason Morris to split Lot 110 into 2 lots for the purpose of single family residential. The property is located at Emory Creek Blvd. and North Ridge Place. Eddie Wolfe representing the applicant addressed questions from the Commission. Mr. Atchley reported that several of the lots have received approval to be split. This project will proceed to public hearing next month.

Branson Sports Entertainment Complex: a request by Russell Cook to develop a motorsports facility to include automobile, motorcycle, BMX bike racing, concerts, car or other trade shows and associated food, retail and commercial uses. The property is located at 689 High Mountain Dr. Robert Stockdill design principal with an architectural firm in Springfield, Tom Gammon, owner's representative leading project team, and Spencer Jones with Great River Engineering presented a power point presentation of

the request. Mr. Stockdill stated that the race car track will be constructed in a "bowl" which will be below the runway of the neighboring airport providing a reduction in noise. Mr. Jones discussed highway improvements to address traffic needs, and improved access to the Branson Airport. An additional ingress and egress to the airport is planned. Mr. Pingleton asked what the minimum traffic count would be, and Mr. Jones stated that they are planning for 25,000 cars. Mr. Gammon reported that there have been meetings with both MoDot and the City of Branson regarding traffic. Traffic management will be coordinated with the County Sheriffs Office and MoDot. Mr. Caudill stated that the interchanges would need to be approved before Planning would approve. Plans are to be in operation by 2013. Water and Sewer plans will be coordinated with the local sewer district, and they would like to connect to the City of Hollister if approved. Water will be onsite with multiple wells being drilled. Elevated storage is planned. Mr. Jones addressed the land grading issue and that County land grading permits have been obtained as well as State and with the recent rainfall and flooding, no violations have been reported. Mr. Caudill asked how many acres had been disturbed. Mr. Jones stated that land grading permit was for 75 acres, but did not know how many had been disturbed. Mr. Pingleton discussed noise, and asked the applicant to address how the noise will be mitigated at the public hearing. Mr. Atchley asked the representatives if they plan to postpone their public hearing until July. Mr. Pingleton thanked the representatives for bringing the project to the Planning Commission at this time, and stated that this decision will not be a "rubber stamp", and just because the work has been done already that there is a risk the Planning Commission might not approve the request. Mr. Gammon stated that they are prepared to reseed the property if it is not approved. Mr. Caudill asked for an elevation map for the next meeting. This project will proceed to public hearing July 11, 2011.

Old and New Business:

Mr. Pingleton announced that Sarah Klinefelter resigned at the request of the County Commission, because she lives in the incorporated area of Forsyth, and the State Statutes state that no one that sits on a County Board should live in a City limits. Discussion followed regarding election of a new Chairman and Vice-Chairman.

After discussion, Susan Martin made a motion to appoint Shawn Pingleton as the new Chairman. Dave Stewart seconded. Motion was unanimous.

Rick Caudill nominated Susan Martin as Vice-Chairman. Randall Cummings nominated Rick Caudill. Mr. Caudill declined. Randall Cummings withdrew his nomination. Dave Stewart seconded the nomination for Susan Martin. The vote to nominate Susan Martin as Vice-Chairman was unanimous.

Mr. Pingleton discussed who is supposed to deal with personnel issues with the Planning Commission, and asked Mr. Atchley to get an answer from the County Commission.

Mr. Atchley asked the Commission if anyone of them wanted to learn how to use the recording equipment in his absence. This is due to the lack of office staff, and the County Commission only allowing limited staff to attend the meetings. Discussion followed no decisions were made.

Adjournment:

With no other business on the agenda for May 16, 2011 the meeting adjourned at 7:24 p.m.

11-16

**APPLICATION FOR CONCEPT
DIVISION III
TANEY COUNTY PLANNING COMMISSION**

The Concept Application is for the use of the Planning Staff and Commission to enable us to know the nature of the planned project. The official Division III Application for permit will be filed along with everything needed to complete your file, as listed on the Division III Procedure Checklist. Division III Applications: \$150.00, Special Use Applications: \$150.00.

NAME OF PROJECT: Hickory Ridge

NAME OF APPLICANT: Homestead Branson Properties
(Must be owner of record)

SIGNATURE: Jen Cox DATE: 06-07-11
(Must be owner of record)

MAILING ADDRESS: 1225 Newbury Rd Branson, Mo. 65616

TELEPHONE NUMBER: 417-598-3151

Representative Information

NAME OF REPRESENTATIVE: Eddie Wolfe

MAILING ADDRESS (rep.): 210 South 3rd Street Branson, Mo. 65616

TELEPHONE NUMBER (rep.): 417-334-8820

Property Information

ACCESS TO PROPERTY (street # and name): Chapel Hill Rd
and Hwy 160

Number of Acres (or sq. ft. of lot size): 162.80

PARCEL #: 06-6.0-23-000-000-013,000
06-6.0-24-000-000-005,000 # 06-7.0-26-000-000-001,100
(This number is on the top left hand corner of your property tax statement)

SECTION: 23, 24, + 26 TOWNSHIP: 24 RANGE: 22

NAME OF SUBDIVISION (if applicable): _____

Lot # (if applicable) _____ BLOCK # _____

WITHIN 600' FROM THIS PROPERTY IS: (Check all land uses that apply)

- Commercial Multi-Family Residential Agricultural
 Multi-Use Municipality

SEWAGE DISPOSAL SYSTEM:

- Treatment Plant Individual
 Central Sewer: District # _____

WATER SUPPLY SYSTEM:

- Community Well Private Well
 Central: District # _____

DOES THE PROPERTY LIE IN THE 100-YEAR FLOOD PLAIN? Yes No

THIS REQUEST FALLS INTO ONE OR MORE OF THE FOLLOWING CATEGORIES:

- Residential Multi-Family Commercial Industrial
 Special Use Other - Explain: _____

11-17

**APPLICATION FOR CONCEPT
DIVISION III
TANEY COUNTY PLANNING COMMISSION**

The Concept Application is for the use of the Planning Staff and Commission to enable us to know the nature of the planned project. The official Division III Application for permit will be filed along with everything needed to complete your file, as listed on the Division III Procedure Checklist. Division III Applications: \$150.00, Special Use Applications: \$150.00.

NAME OF PROJECT: Hickory II

NAME OF APPLICANT: Homestead Branson Properties
(Must be owner of record)

SIGNATURE: [Signature] DATE: 06-07-11
(Must be owner of record)

MAILING ADDRESS: 1225 Newbury Rd Branson, Mo. 65616

TELEPHONE NUMBER: 417-598-3151

Representative Information

NAME OF REPRESENTATIVE: Eddie Wolfe

MAILING ADDRESS (rep.): 210 South 3rd Street Branson, Mo. 65616

TELEPHONE NUMBER (rep.): 417-334-8820

Property Information

ACCESS TO PROPERTY (street # and name): Newbury Rd

Number of Acres (or sq. ft. of lot size): 32.52

PARCEL #: 06-70-26-000-000-007.001 06-70-26-000-000-020.000
(This number is on the top left hand corner of your property tax statement)

SECTION: 26 TOWNSHIP: 24 RANGE: 22

NAME OF SUBDIVISION (if applicable): Hickory Ridge

Lot # (if applicable) Tract 4 BLOCK # _____

WITHIN 600' FROM THIS PROPERTY IS: (Check all land uses that apply)

- Commercial Multi-Family Residential Agricultural
 Multi-Use Municipality

SEWAGE DISPOSAL SYSTEM:

- Treatment Plant Individual
 Central Sewer: District # _____

WATER SUPPLY SYSTEM:

- Community Well Private Well
 Central: District # _____

DOES THE PROPERTY LIE IN THE 100-YEAR FLOOD PLAIN? Yes No

THIS REQUEST FALLS INTO ONE OR MORE OF THE FOLLOWING CATEGORIES:

- Residential Multi-Family Commercial Industrial
 Special Use Other – Explain: _____

