



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, DECEMBER 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:

Lone Pine Project
Lost Canyon Cave and Nature Trail

Old and New Business:

Tentative

Adjournment.



TANEY COUNTY PLANNING COMMISSION

DIVISION III SPECIAL-USE PERMIT STAFF REPORT

HEARING DATE: December 9, 2013

CASE NUMBER: 2013-0025

PROJECT: Lone Pine Project

APPLICANT: Profund Capital, LLC – Steve Shepherd

REPRESENTATIVE: Mark Mauzy

LOCATION: The subject property is located at 290 Lone Pine Road, Branson, MO; Branson Township; Section 10, Township 22, Range 22.

REQUEST: The applicant, Steve Shepherd is requesting approval of a Division III Special-Use Permit in order to utilize an existing, three (3) bedroom, single-family residence for nightly rental. The applicant is also seeking to convert the existing indoor racquetball court into three (3) additional bedrooms that will be available for nightly rental, for a total of six (6) bedrooms.

BACKGROUND and SITE HISTORY:

On April 22, 1999 Division I Permit # 1999-0180 was issued for the construction of a 2,500 square foot single-family residence. The single-family residence is currently listed per the Assessor's information via Beacon as being approximately 7,742 square feet in size. The home is currently listed on the Multiple Listing Service (MLS) as being a 3 bedroom, 6 bathroom home.

On April 22, 1999 Septic Permit # 1999-0158 was issued for the septic system sized to accommodate the three (3) bedroom residence.

The current application was approved for Concept on November 18, 2013.

GENERAL DESCRIPTION:

The subject property (approximately 12,500 square foot lot) contains an approximately 7,742 square foot, three (3) bedroom, single-family residence (per the Assessor's information) located at, 290 Lone Pine Road, Branson, MO, known as Lot 16, Block 1, Skyline Subdivision. The applicant is seeking to convert the existing indoor racquetball court into three (3) additional bedrooms that would be available for nightly rental.

REVIEW:

The Taney County Development Guidance Code defines nightly rental as “A residential building, structure, or part thereof that may be rented for any period of time less than thirty (30) days, counting portions of days as full days.” Currently, the applicant would have the ability to rent the residence for a period of thirty (30) days or greater.

The exterior appearance of the single-family home will remain the same. Per the nightly rental provisions of the Development Guidance Code, “The maximum occupancy for a Nightly Rental shall be two (2) persons per dwelling unit, plus two (2) persons per bedroom (e.g., a two (2) bedroom dwelling unit is permitted a maximum occupancy of six (6) persons).” Therefore, currently the three (3) bedroom home would have a maximum occupancy of eight (8) people. Upon the addition of three (3) bedrooms the residence would accommodate a total of fourteen (14) people, if the wastewater treatment system is upgraded, ensuring adequate capacity to serve the six (6) bedrooms.

The property is currently served by a public water supply company (Missouri American Water Company) and an individual, onsite septic system. Septic Permit # 1999-0158 for 290 Lone Pine Road, indicates that the system was permitted for the three (3) bedroom house, with 300 linear feet of lateral line and a 1,000 gallon tank. The staff recommends that if the property owner utilizes the existing three (3) bedroom residence for nightly rental that the owner be made aware that the system needs to be watched for signs of failure and regularly pumped in order to maintain the system. However, per the nightly rental provisions of the Development Guidance Code, “The maximum occupancy shall be further limited based upon the capacity of the wastewater treatment system serving the Nightly Rental...” Therefore if three (3) additional bedrooms are added the wastewater treatment system must be upgraded, ensuring adequate capacity to serve the six (6) bedrooms.

The property is currently served by an existing drive off of Lone Pine Road.

The residence is in compliance with the setback requirements, “One (1) off-street parking space shall be provided for each two (2) persons of occupancy in a Nightly Rental.” Per the nightly rental provisions of the Development Guidance Code, “One (1) off-street parking space shall be provided for each two (2) persons of occupancy in a Nightly Rental.” Therefore a total of seven (7) parking spaces will be required. The residence is currently served by a three (3) car garage and two outdoor parking areas, exceeding the minimum requirements of the Development Guidance Code.

The adjoining property immediately to the north is vacant property, with single-family residential being located further to the north. The adjoining property to the south and east is single-family residential. The adjoining property immediately to the west is single-family residential, with a duplex further to the west.

The project received a total score of -23 on the Policy Checklist, out of a maximum possible score of 29. The relative policies receiving a negative score consist of sewage disposal, offsite nuisances, right-of-way on existing roads, emergency water supply, solid waste disposal service and use compatibility

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 Western Taney County Fire Protection District, the Taney County Assessor's Office, the Missouri Department of Revenue, the Environmental Division of the Planning Department and the Taney County Health Department; including all other entities which have requirements governing a development of this nature shall be provided to the Planning Department office.(Chapter VI-VII)
3. A copy of a valid Merchant's License via the Taney County Collector's Office shall be provided to the Planning Department.
4. A valid Missouri Department of Revenue Sales Tax License shall be provided to the Planning Department prior to the issuance of a Certificate of Compliance. A No Tax Due Letter from the Missouri Department of Revenue shall be submitted to the Planning Department office annually, indicating that the sales taxes have been paid.
5. No outside storage of equipment or solid waste materials.
6. This decision is subject to all existing easements.
7. This residence shall accommodate (sleep) no more than eight (8) persons per night, until such time that the on-site wastewater treatment system is upgraded, ensuring capacity for the six (6) bedroom home and / or the maximum number of persons that will be accommodated via nightly rental. Upon completion of the wastewater treatment system upgrade the six (6) bedroom residence shall accommodate no more that fourteen (14) people.
8. Prior to converting the indoor racquetball court into three (3) additional bedrooms, the onsite wastewater system shall be designed and constructed, ensuring capacity for the six (6) bedroom home and / or the maximum number of persons that will be accommodated via nightly rental. This upgraded on-site wastewater system shall be permitted via the Taney County Planning Department in conjunction with the Missouri Department of Health and Senior Services and/or the Missouri Department of Natural Resources.
9. This Decision of Record shall be filed with the Taney County Recorder's Office within 120 days or the approval shall expire (Chapter II Item 6).

Any proposed project that does not have a posted 911 address must be identified with a survey flag at the proposed access to the property. Failure to post the survey flag will result in a delay of the Public Hearing. Please give a description of your proposed project including all uses: (IMPORTANT: Make this description as complete as possible as your public notice will be based on the information provided here.)

The property is located in the Skyline Subdivision in Taney, County, MO.

This foreclosure home was purchased from the bank and it was an eyesore and dangerous property due to deteriorated wood decks. The exterior was overgrown and the property had no street parking which caused blocked traffic. In addition to my personal use, I would like to add three bedrooms and three baths and make it available as a vacation home for families on a nightly or weekly rental basis. The property has now been remodeled and lots of additional parking (up to 12 cars). This application is for a special use permit that would allow nightly /weekly rental. The benefit to Taney County would be a significant increase in tax revenues and spending by vacationers.

The house next door to my South boundary is a vacation home approved by Taney County. The property West and North of mine are vacant lots. There are several other vacation homes currently operating in the Skyline Addition as well.

It is anticipated that the neighbors surrounding my property will welcome the improvements and have no objection to the approval of a Special Use Permit for this property. Note: the house would have 6 beds & 6.5 baths after remodel

**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	-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

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	-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=	x			
lot coverage compatible with surrounding areas		0	1		
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=	x			
creates >=5 full-time, year-round jobs outside of recreation / resort sector	2	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	1	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= -23

Maximum Possible Score= 29

Actual Score as Percent of Maximum= -79.3%

Number of Negative Scores= 6

Negative Scores as % of All Applicable Scores= 60.0%

Scoring Performed by:

Bob Atchley / Bonita Kisse

Date:

November 27, 2013

Project: Lone Pine Project - Nightly Rental

Permit#: 12-25

Policies Receiving a Negative Score	
Importance Factor 5:	sewage disposal off-site nuisances right-of-way/roads 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 Kissee

Date: November 27, 2013

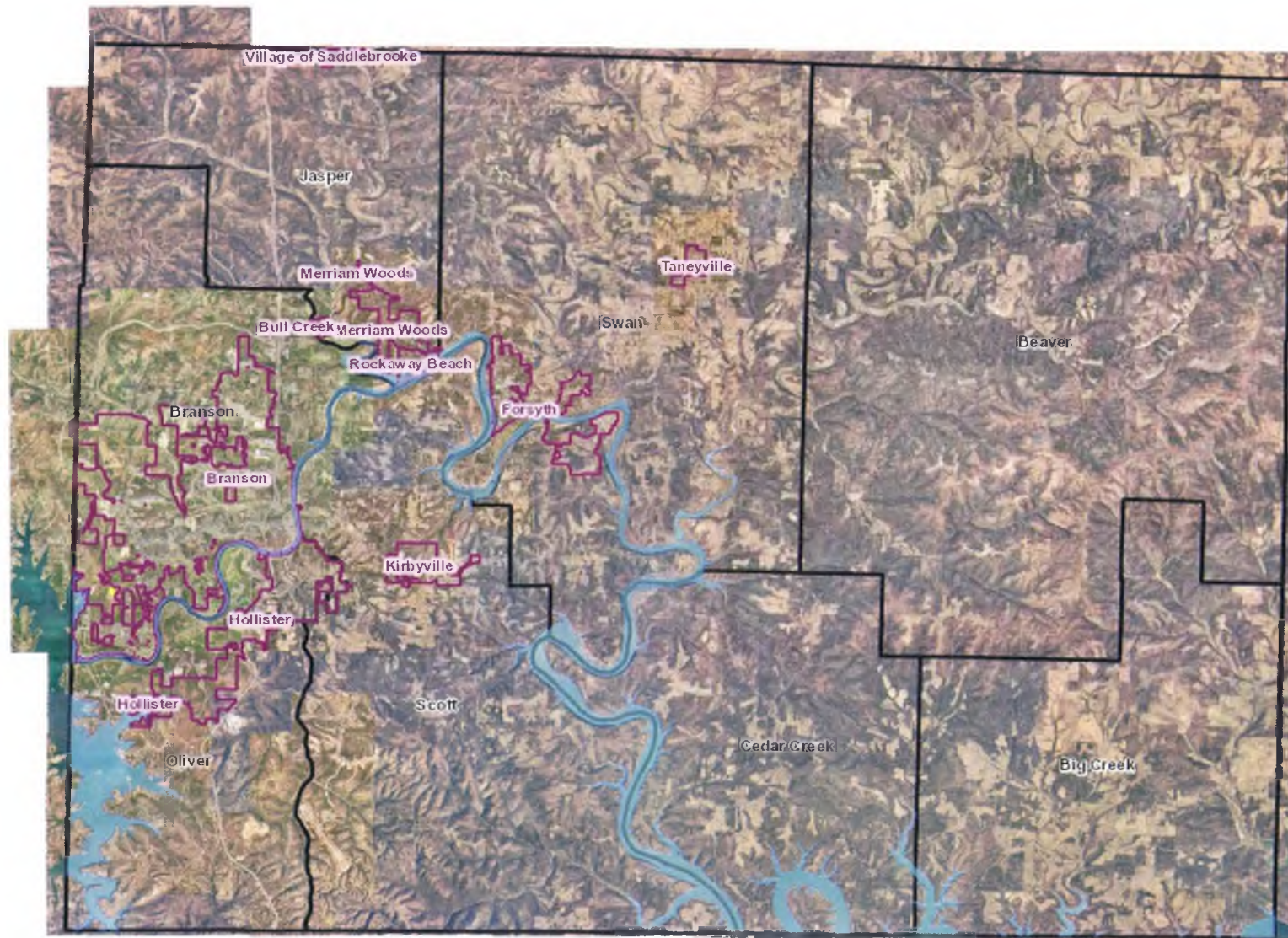
Project: Lone Pine Project - Nightly Rental

Permit: 12-25

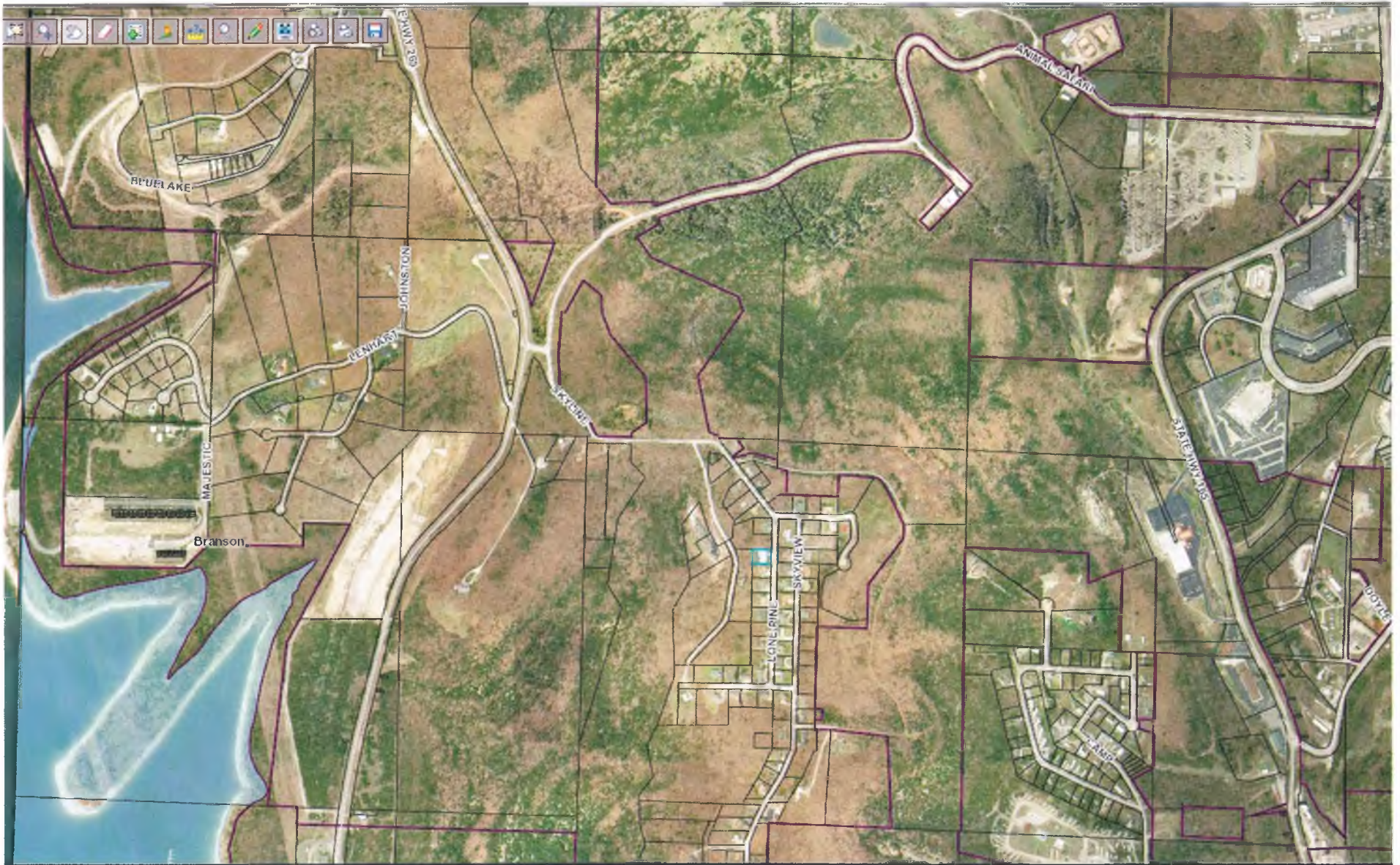
	Max. Possible	As Scored	%	Total Negative Scores	
Scoring	29	-23	-79.3%	6	60.0%

	Max. Possible	As Scored	Negative Scores	
			Number of	Percent
Importance Factor 5	15	-30	5	83.3%
sewage disposal	10	-5		
off-site nuisances	0	-5		
diversification				
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	6	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	6	3		
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				
rooftop vents / equipment				
bicycle circulation				

Scoring by: *Bob Atchley / Bonita Kisse*
 Date: *November 27, 2013*



**Lone Pine Project – Nightly Rental
Division III Special-Use Permit 2013-0025
Taney County GIS - Beacon**



**Lone Pine Project – Nightly Rental
Division III Special-Use Permit 2013-0025
Taney County GIS - Beacon**



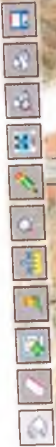
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SKYVIEW

LONE PINE

SKYLINE

SKYLINE



2015/04





LONE PINE

SKYLINE

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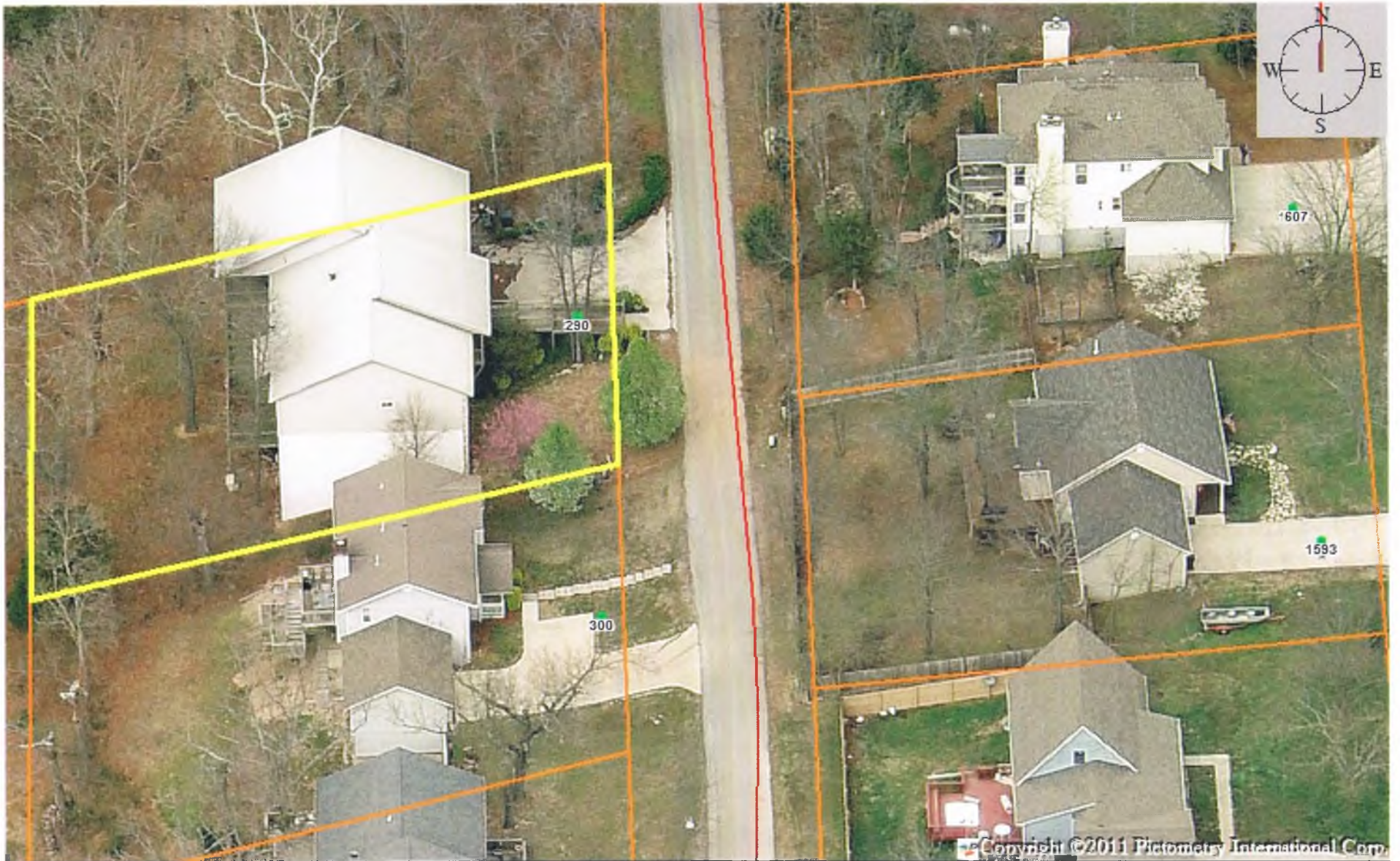
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LONE PINE



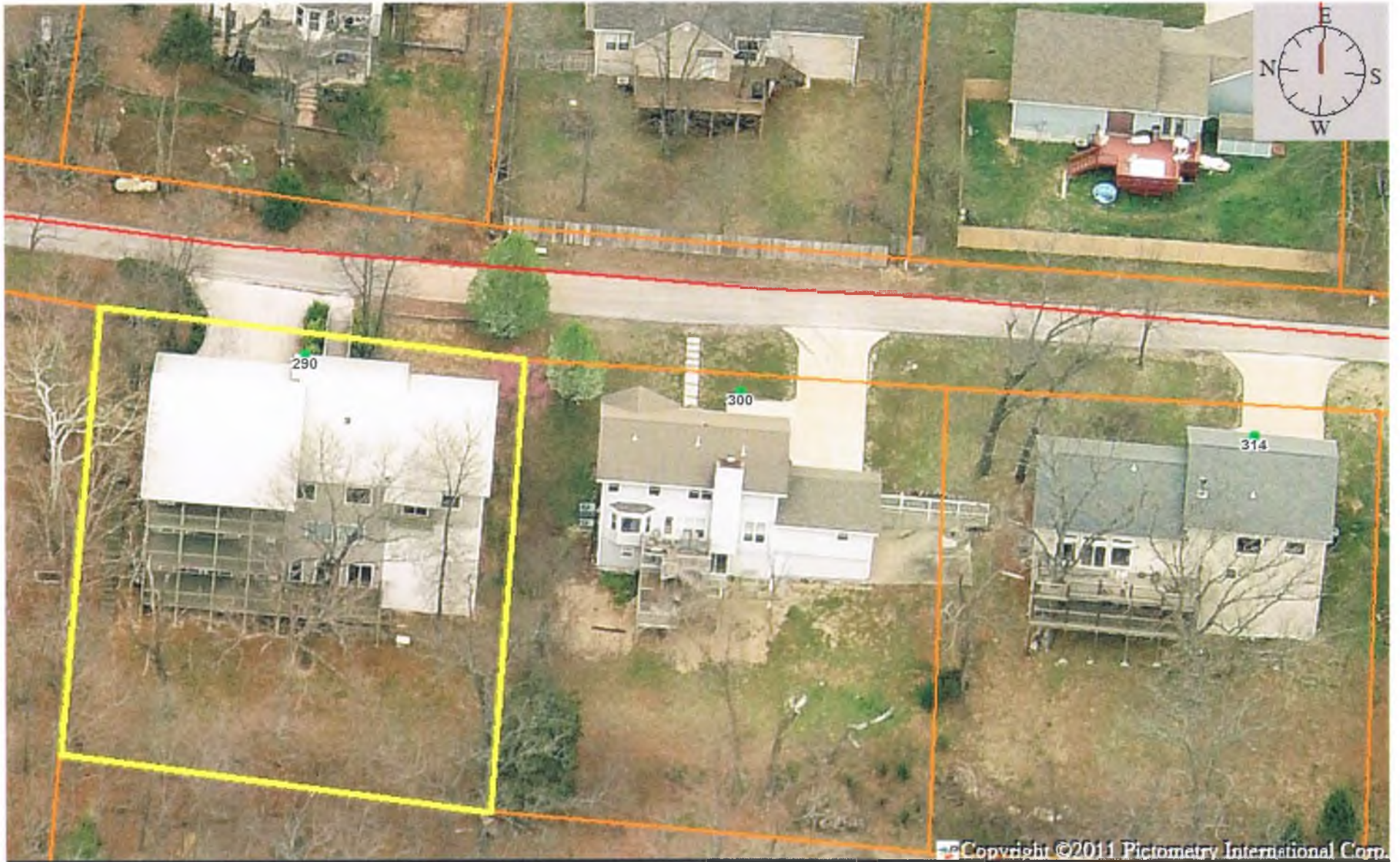
**Lone Pine Project – Nightly Rental
Division III Permit 2013-0025
Pictometry – View from the North**



**Lone Pine Project – Nightly Rental
Division III Permit 2013-0025
Pictometry – View from the South**



**Lone Pine Project – Nightly Rental
Division III Permit 2013-0025
Pictometry – View from the East**



**Lone Pine Project – Nightly Rental
Division III Permit 2013-0025
Pictometry – View from the West**

Gerrie Moore
417-337-1509
Keller Williams Tri-Lakes





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: Profund Capital LLC

Proposed Development: Lone Pine
Nightly Rental

Property Location: 290 Lone Pine
Road

Hearing Location: Taney County Courthouse

Time: 6:00 PM

Date: 12-9-13

Phone: 417-546-7225



NOTICE OF
PUBLIC HEARING

290





















TANEY COUNTY PLANNING COMMISSION DIVISION III STAFF REPORT

HEARING DATE: December 9, 2013

CASE NUMBER: 2013-0026

PROJECT: Lost Canyon Cave and Nature Trail

APPLICANTS: White Oak Ventures and Three Johns Company

REPRESENTATIVES: Martin McDonald and Eddie Wolfe

LOCATION: The subject property is located in the 900 block of Ridgedale Road, Ridgedale, MO; Oliver Township; Section 7, Township 21, Range 21.

REQUEST: The applicants, White Oak Ventures and Three Johns Company are requesting approval of a Division III Permit authoring the development of the Lost Canyon Cave and Nature Trails

BACKGROUND and SITE HISTORY:

The subject property consists of a total of +/- 218.05 acres and is comprised of two large parcels and one 3.2 acre parcel.

The applicant has obtained land disturbance permits for the project via both Taney County and the Missouri Department of Natural Resources (MoDNR).

GENERAL DESCRIPTION:

The approximately 218.05 acre site will be a portion of the Top of the Rock Ozarks Heritage Preserve and will consist of The Grand Entrance, the Lost Canyon Cave and nature trails.

The Grand Entrance will be located just west of U.S. Highway 65 and just north of State Highway 86, off of Ridgedale Road. The grand entrance will include a registration building for guests of the golf course, the Ozarks Heritage Preserve and the Lost Canyon Cave. This area will also include a parking area for guests.

The Lost Canyon Cave is located just to the northwest of State Highway 86 and will be accessible via the interpretive nature trail. The applicants have indicated that approximately one-third of the total cave area will be operated as a "show cave." The remaining portion of the cave will be kept in a native, wild state, and at this time will not be accessible to the public. The show area of the cave will include such features as: a

visitor path, waterfall, elevator, moonshine still, cave store and observation deck. The applicant has indicated that the Lost Canyon Cave will have an educational focus on such issues as rock formations, cave nomenclature, cave plant, wildlife and invertebrate life, plus information about the past cultural importance that caves played in the Ozarks. The educational program of the cave will work in conjunction with the Top of the Rocks Ozarks Heritage Preserve Natural History museum, which will showcase the natural history of caves.

REVIEW:

The applicant is proposing to access the Top of the Rock Heritage Preserve (including the Lost Canyon Cave and Nature Trail) primarily via the Grand Entrance directly off of Ridgedale Road, via State Highway 86. The Lost Canyon Cave will be accessed either by hiking or electric cart via the nature trails.

Paved parking lots will be provided in close proximity to the Grand Entrance. As a part of the Division II Permitting process a site plan will be required indicating the specific number of parking spaces (including handicapped accessible spaces) which will be provided. The on-site parking provisions of the Taney County Development Guidance Code do not list such uses as a commercial cave and nature trails. However, the applicant has more than adequate space to provide for the necessary parking needs of the uses in question.

Guests will park their automobiles at the parking lot near the Grand Entrance. Guests will have the opportunity to traverse the Nature Trail either by foot or by electric cart. Access to the Lost Canyon Cave will be provided via interpretive trail over pathways through the woods and passing over two Amish-built covered bridges. The trail circles through the perimeter of the show cave.

The applicant has obtained land disturbance permits via both Taney County and the Missouri Department of Natural Resources (MoDNR).

The applicant will be required to obtain the appropriate wastewater permits via the applicable wastewater permitting entity (either the Missouri Department of Natural Resources or the Environmental Division of the Planning Department in Conjunction with the Missouri Department of Health and Senior Services) for the wastewater treatment system that will serve the restroom at the Lost Canyon Cave and also the restrooms at the Grand Entrance. The permitting requirements will be based upon wastewater flows.

The Top of the Rock Heritage Preserve will create a number of year-round and part-time jobs. A number of jobs have also been created by the planning, design and construction of the project.

All electric utilities serving the development will be placed underground.

The adjoining property immediately to the north is the Top of the Rock Restaurant and Golf Course. The adjoining property immediately to the south is State Highway 86, with single-family residential further south. The adjoining property immediately to the east is U.S Highway 65. The adjoining property immediately to the west is Ozarks Paradise Village and vacant property.

The project received a score of 53 on the Policy Checklist, out of a maximum possible score of 71. The relative policies receiving a negative score consist of solid waste disposal service, use compatibility and traffic.

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 and the Taney County Road Standards that include plans for the following:
 - a. Sediment and erosion control (Section 4.1.1)
 - b. Land Grading Permit for all disturbances of over once acre (Appendix F)
 - c. Stormwater management (Appendix B Item 3)
 - d. Utility easements and building line setbacks (Table 12)
 - e. Improvements with scale of buildings, streets, onsite parking and utilities.(Table 6)
 - f. A lighting plan showing the location, height and other specifications on the lighting to be provided for the development
2. Compliance letters from the Western Taney County Fire Protection District, Environmental Division of the Planning Department, Missouri Department of Natural Resources (MoDNR), including all other entities which have requirements governing a development of this nature.(Chapter VI-VII)
3. No outside storage of equipment or solid waste materials.
4. This decision is subject to all existing easements.
5. Division II Permits will be required for all applicable structures in the development (Chapter 3 Sec. I Item B).
6. Prior to issuing Certificates of Compliance (C of Cs) a copy of the Western Taney County Fire Protection District Certificate of Occupancy (C of O) shall be provided to the Planning Department Office.
7. All waterwater treatment systems shall be permitted by the appropriate wastewater permitting entity.
8. This Decision of Record shall be filed with the Taney County Recorder's Office within 120 days or the approval shall expire (Chapter II Item 6).

LOST CANYON CAVE AND NATURE TRAIL

As part of the Top of the Rock Ozarks Heritage Preserve, 6.1 acres has been designated for the Lost Canyon Cave and Nature Trail.

The Ozarks Heritage Preserve has an amazing underground network of natural wonder and beauty... a great example of why Missouri is referred to as the Cave State.

A portion of the Lost Canyon Cave has been selected as a special place to showcase the marvelous nature of a cave and to relate the natural history, karst geology and educational wonders found here, normally hidden beneath our feet.

The Lost Canyon Cave is only one of several caves within the Top of the Rock Ozarks Heritage Preserve and Dogwood Canyon that make up an important habitat in the Ozark Mountains. A conservation policy has been developed at the Top of the Rock Ozarks Heritage Preserve and Dogwood Canyon to protect these underground resources.

Our goal at the Ozarks Heritage Preserve is to showcase the wonders of caves and the uniqueness of our karst topography. We hope visitors have a special cave experience, and that we are able to demonstrate and instill the importance of being a good environmental steward of all caves.

LOST CANYON CAVE

The Lost Canyon Cave is a grand example of the Ozarks Mountain's karst topography and the formation of a magnificent cave from water penetration through limestone over thousands of years.

Approximately one-third of the total cave will be operated as a "show cave." The remaining portion of the cave will be kept in a native, wild state, and at this time will not be accessible to the public. The show area will highlight the beauty and formations of the cave as well as provide an educational experience and underground adventure for the visitor, and will include the following:

Visitor Path: A circular pathway through the show cave area that is suitable for the passage of electric carts and/or individuals walking through the cave.

Waterfall: A cascading waterfall is a main feature of the cave, giving the visitor a sense of the power of water and creating a water mist that touches the visitor.

Elevator: A modern, yet historic, mining cave elevator will ascend over 100 feet, giving visitors access to different cave passages. The elevator will have the motion of an old time mining elevator shaft which shimmies and shakes on its pathway up and down to give the visitor a real sense of our mining past. It will comply with safety standards.

Moonshine Still: Visitors to the cave will have the opportunity to take the elevator to the top level and to witness a bit of Hillbilly lore and past culture ... a working moonshine still. The still will be constructed outside the cave to protect the cave environment.

Cave Store: Atop the cave, and accessible by the cave elevator, will be a retail store with fun books, cave and rock items, food and drink items, soft goods and other items showcasing the Top of the Rock Heritage Preserve, the Lost Canyon Cave, and other fun Ozark items.

Observation Deck: Visitors will have the opportunity to take the elevator to the fourth level and be at the top of the cave, where they will be able to access observation decks with vista views of the Ozarks.

THE GRAND ENTRANCE

The grand entrance will be just east of 65 and just north of Highway 86. The grand entrance will include a registration building for guests to the golf course, Ozarks Heritage Preserve, and the Lost Canyon Cave. This will also be the parking lot for guests.

NATURE TRAIL

Visitors coming from the main entrance of the Top of the Rock Ozarks Heritage Preserve will have the opportunity to traverse the Nature Trail by foot or by electric cart. The trail circles through the perimeter of the show cave and follows an interpretive trail over pathways through the woods and passing over two Amish-built covered bridges. The trail showcases the natural beauty of the Ozarks and the geological formations of the Ozark Mountains, including several natural and powerfully distinctive “Table Rock” formations. The cave trail has been in works for years, and hundreds of thousands of man-hours have been put into creating a truly unique trail.

The cave trail leads to the unique building complex of the Ozarks Heritage Preserve.

THE EDUCATIONAL FOCUS OF THE CAVE

The cave will include educational information on rock formations, cave nomenclature, cave plant wildlife and invertebrate life, plus information about the past cultural importance that caves played in the Ozarks.

The education of the visitors to the cave will be totally enhanced by the Top of the Rocks Ozarks Heritage Preserve Natural History Museum, which will showcase the natural history of Ozark caves with life-size dioramas of animals that roamed the caves thousands of years ago. Visitors will learn about the short-faced cave bear and the cave lion.

The Natural History Museum will also focus on how caves are formed, the region’s karst topography, and the role of caves with Native Americans and the early Ozark Mountain settlers.

CAVE CONSERVATION

A conservation policy has been developed for the Lost Canyon Cave. The conservation policy's goals include keeping two-thirds or more of the cave in its wild state, which will help to preserve the magnificent formations, the underground streams and the unique wildlife that inhabits these caves. This protection will create a unique biological refuge for animals that live in or visit the caves. We believe visitors to the preserve and Dogwood Canyon will be amazed when they learn about the mammals, amphibians, and other creatures that have occupied these caves throughout history.

A team of cave scientists with a passion for all things speleological has been engaged to develop an assessment and a master plan for the protection of the caves both here at Ozarks Heritage Preserve and at Dogwood Canyon. We are working with a nationally recognized cave research foundation that has been collecting, and will continue to collect special information on these caves and to interpret their unique natural history, geology, biology, and archaeology.

The Cave Research Foundation has done a biological survey of the cave and, working with the Cave Research Foundation, the Lost Canyon Cave team established bat-friendly conditions in the upper levels of the caves.

SUMMARY

The Lost Canyon show cave with its unique features, including breathtaking waterfalls, amazing cave formations, a cave elevator to enjoy various levels of the cave, and a center pond will be a tourist destination for Taney County. The cave, the building and features of the Top of the Rock Heritage Ozarks Preserve, plus the improvements at Big Cedar Lodge, Dogwood Canyon, and the Outdoor Academy will provide a world class eco-tourism destination for Taney County and Southwest Missouri. The Top of the Rock Ozarks Heritage Preserve and the other attractions listed above have been the vision of Bass Pro Shops founder and noted conservationist Johnny Morris, who has spearheaded these projects.

**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	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

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	0	0
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	0	0
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
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=			
does not limit existing agricultural uses / does not cause nuisance, predation	0	3	0	0
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	2	10
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=			
clustered development / sharing of parking, signs, ingress, egress, or not applicable	2	3	2	6
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=				
approved and effectively designed landscaped buffers between structures and all roads	2	3	2	6
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=	x			
structure size and/or access can be serviced by emergency equipment	0	5		
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	0	0
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	0	0
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=				
paved and dedicated walkways (no bicycles) provided throughout development	2	4	1	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=				
separation of pedestrian walkways from roadways by landscape or structural buffer	2	2	1	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=				
dedicated / separate bike-ways with signage, bike racks, trails	2	1	1	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	1	4
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= 23

Maximum Possible Score= 65

Actual Score as Percent of Maximum= 35.4%

Number of Negative Scores= 2

Negative Scores as % of All Applicable Scores= 9.1%

Scoring Performed by:

Date:

Bob Atchley / Bonita Kisse

November 26, 2013

Project: Lost Canyon Cave and Nature Trail

Permit#: 13-26

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

Scoring by: Bob Atchley / Bonita Kissee

Date: November 26, 2013

Project: Lost Canyon Cave and Nature Trail

Permit: 13-26

	Max. Possible	As Scored	%	Total Negative Scores	
Scoring	65	23	35.4%	2	9.1%

	Max. Possible	As Scored	Negative Scores	
			Number of	Percent
Importance Factor 5			2	33.3%
sewage disposal	10	5		
off-site nuisances	0	0		
diversification	10	10		
emergency services				
right-of-way/roads	5	0		
emergency water supply	0	-10		
waste disposal service	0	-5		
waste disposal commitment				
Importance Factor 4	16	8		
slopes	0	0		
use compatibility	0	0		
pedestrian circulation	8	4		
underground utilities	8	4		
Importance Factor 3	18	12		
soil limitations	0	0		
building bulk/scale	0	0		
waste containers screening				
outdoor equip storage				
industrial buffer / screening				
right to farm	0	0		
right to operate				
mixed-use developments				
development patterns	6	6		
development buffering	6	6		
water system service	6	0		
Importance Factor 2	4	2		
wildlife habitat and fisheries	0	0		
air quality	0	0		
building materials				
residential buffer / screening				
residential privacy				
traffic	0	0		
pedestrian safety	4	2		
usable open space				
Importance Factor 1	2	1		
lot coverage	0	0		
rooftop vents / equipment				
bicycle circulation	2	1		

Scoring by: Bob Atchley / Bonita Kissee
Date: November 26, 2013



Lost Canyon Cave & Nature Trail





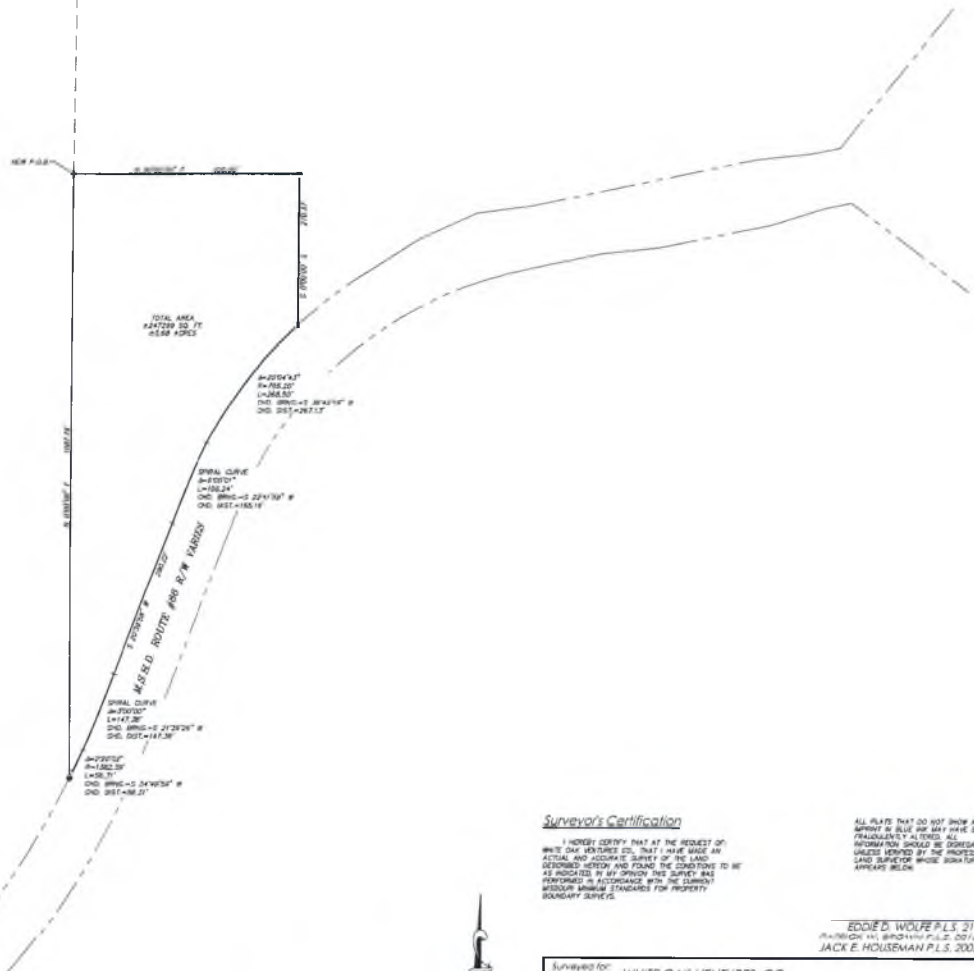
Site Location

GMAPSW SCALE
1" = 100'
0 100 200 300 400 500
GMAPSW, INC.
10000 GOLF COURSE RD.
DALLAS, TX 75243
972-342-1000



DESCRIPTION:

A TRACT OF LAND SITUATED IN LOTS 1 AND 2 OF THE FRACTIONAL 301/4 OF SECTION 7, TOWNSHIP 33 NORTH, RANGE 3 WEST, RANGE 3 WEST, COUNTY OF ALLEN, MISSOURI, PARTIALLY DESCRIBED AS FOLLOWS: BEGINNING AT AN EXISTING ALUMINUM MONUMENT MARKING THE SOUTHWEST CORNER OF THE 1/4 OF THE NE 1/4 OF SAID SECTION 7, THENCE N 89° 02' 21\"/>



Surveyor's Certification

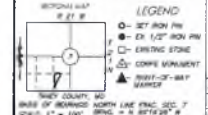
I HEREBY CERTIFY THAT AT THE REQUEST OF WHITE OAK VENTURES CO., THAT I HAVE MADE AN ACTUAL AND ACCURATE SURVEY OF THE LAND DESCRIBED HEREON AND FOUND THE CONDITIONS TO BE AS INDICATED BY MY OPINION THIS SURVEY WAS PERFORMED IN ACCORDANCE WITH THE CURRENT MISSOURI SURVEY STANDARDS FOR PROPERTY BOUNDARY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

ALL PLATS THAT DO NOT SHOW A SEAL, SIGNATURE OR DATE MAY HAVE BEEN FALSIFICATIONLY ALTERED. ALL INFORMATION SHOULD BE CORROBORATED. WAIVES SERVICE BY THE PROFESSIONAL LAND SURVEYOR WHOSE SIGNATURE APPEARS BELOW.

EDDIE D. WOLFE P.L.S. 2190
 PATRICK W. BROWN P.L.S. 2003000061
 JACK E. HOUSEMAN P.L.S. 2005019222

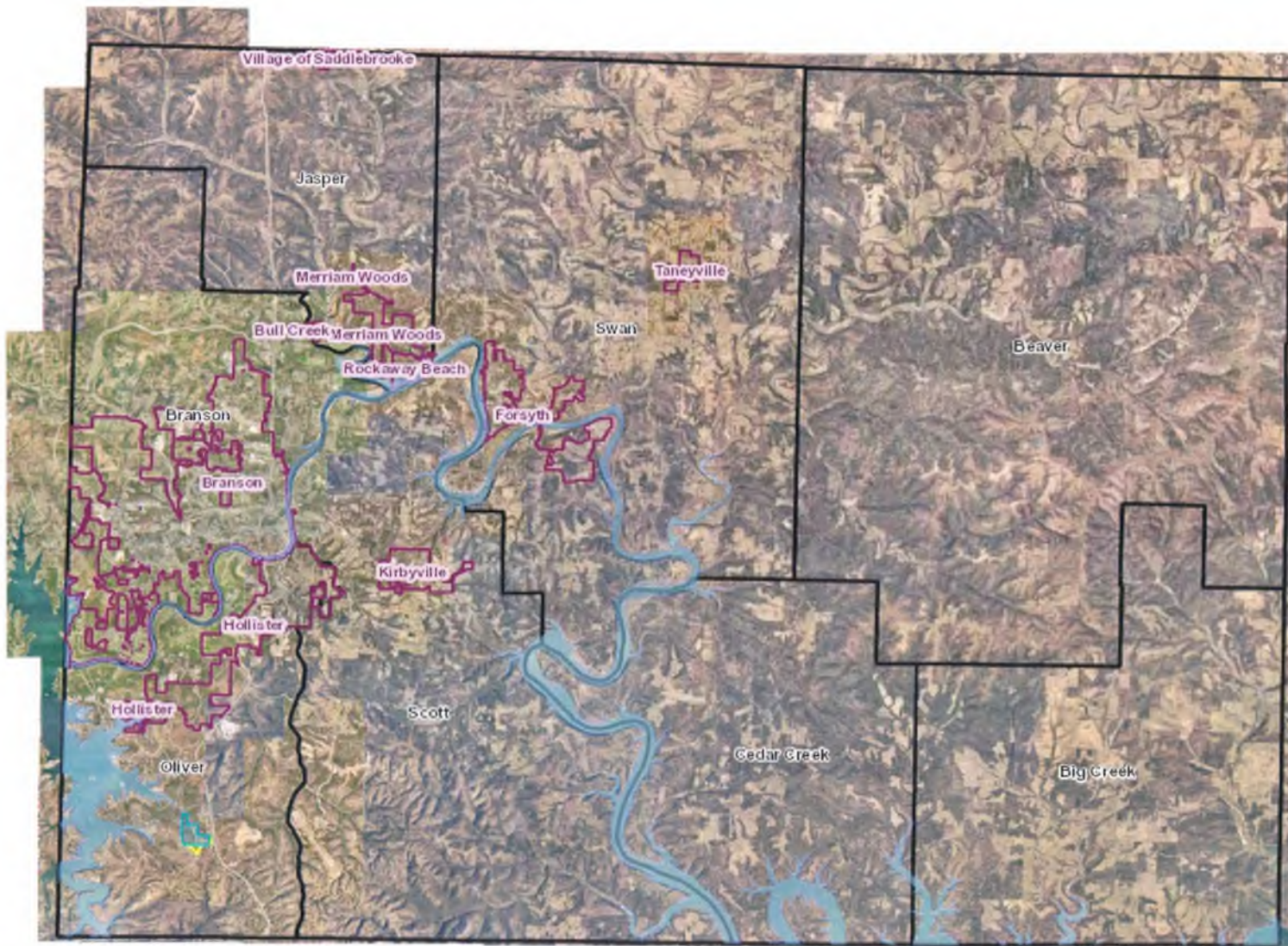


Surveyed for: **WHITE OAK VENTURES, CO.**



WOLFE SURVEYING, INC.
 EDDIE D. WOLFE P.L.S. 2190 (PRESIDENT)
 PATRICK W. BROWN P.L.S. 2003000061 (VICE PRESIDENT)
 JACK E. HOUSEMAN P.L.S. 2005019222 (SECRETARY)
 210 South Third Street, Berwyn, MO 63015
 Phone: 417-234-8800 Fax: 417-234-0181

SHEET: 1 OF 1 WOLFE SURVEYING, INC. COA #0000008400
 P.L.S. #2230 DWG #2230-SURVEY CAVE
 DRAWN BY: RMP DATE: 10-25-13



**Lost Canyon Cave and Nature Trail
Division III Permit 2013-0026
Taney County GIS - Beacon**







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: White Oak Adventures [≡]
Three Sons

Proposed Development: _____

Commercial Cave Business

Property Location: Ridgedale Road

Hearing Location: Taney County Courthouse

Time: 6:00 PM

Date: 12-9-13

Phone: 417-546-7225



NOTICE OF PUBLIC HEARING
For Every Citizen
Participating in the process
of the project...

**CONSTRUCTION AREA
ALL TRAFFIC MUST**

STOP







John 15 Drive Thru
Lemonade stand Better
Settle Your MARKS







