



## TANEY COUNTY PLANNING COMMISSION

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**AGENDA**  
**TANEY COUNTY PLANNING COMMISSION**  
**PUBLIC HEARING**  
**TUESDAY, OCTOBER 11, 2016, 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:

*East 76 Motors*

Old and New Business:

*Tentative*

Adjournment.



**TANEY COUNTY  
PLANNING COMMISSION  
DIVISION III SPECIAL-USE PERMIT  
STAFF REPORT**

**HEARING DATE:** October 11, 2016

**CASE NUMBER:** 2016-0022

**PROJECT:** East 76 Motors

**APPLICANTS:** Rick & Kima Bekemeier

**REPRESENTATIVE:** Brandon Bekemeier

**LOCATION:** The subject property is located at 3032 East State Highway 76, Branson, MO; Scott Township; Section 2, Township 22, Range 21.

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

**BACKGROUND and SITE HISTORY:**

The subject property is +/- .55 acres (per survey) and is described as a meets and bounds portion of Plot 3 of the Valley Park Subdivision. The Valley Park Subdivision was originally platted in 1919. The property in question currently contains a single-family residence, a portion of which was constructed in 1925 (per the Assessor's information as indicated within Beacon).

On August 16, 1999 the Planning Commission issued Division III Permit # 99-30 authorizing the development of the Bekemeier's Apple Butter, which involved the manufacturing, wholesale mail ordering and retail sales of apple butter. At that time Rick & Kima Bekemeier owned both the property that is the subject of this application and also the property adjoining immediately to the west, located at 3024 East State Highway 76 (Parcel # 17-1.0-02-003-001-001.002). At the time of this Division III Permit application Mr. & Mrs. Bekemeier lived at the property located at 3032 East State Highway 76 (Parcel # 17-1.0-02-003-001-001.001), which is now the subject of the current Division III Permit request.

On December 20, 1999 the Planning Commission issued Division III Permit # 1999-0045, which authorized a beauty salon as an addition within the structure originally approved to be Bekemeier's Apple Butter business. The building in question is now home to Airline Graphics and Images Salon & Spa.

The applicant is now seeking the Planning Commission approval of a Division III Permit in order to establish a pre-owned auto sales facility at the location of the existing residence located at 3032 East State Highway 76.

The current application was approved for Concept on September 19, 2016.

### **GENERAL DESCRIPTION:**

The proposed East 76 Motors will consist of a gravel parking area for the display and sales of pre-owned automobiles.

The representative, Brandon Bekemeier has been working with MoDOT in seeking to remove the two (2) car garage that is currently located directly at the corner of State Highway 76 and Valley Park Road. A portion of the garage in question is actually located on the right-of-way of State Highway 76. At the time of the writing of this staff report the representative has indicated that he will likely request to continue the application until such time that he can reach an agreement with MoDOT in regard to the removal of the building. If the building is removed the representative has indicated that he will construct or place a small structure on the property to act as the office for the pre-owned auto sales business.

The proposed hours of operation will be Tuesday through Friday 10:00 AM to 4:00 PM. The representative has indicated that he will display no more than a maximum of ten (10) cars 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 has an existing full time job and therefore plans to operate East 76 Motors on a part-time basis.

### **REVIEW:**

The representative has indicated that due to the part-time nature of the business, East 76 Motors will not be served by a restroom facility or water. Interested buyers will contact the representative via telephone in order to schedule a time to meet onsite. The part time, pre-owned auto sales facility will not be staffed on a regular basis. The representative has indicated that the facility will have signage directing potential patrons to his telephone number for inquiries about the pre-owned automobiles. The representative is to be the sole staff member.

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. The representative is planning to remove the existing, two car garage; allowing for a gravel, customer parking area along the eastern side of the property.

Once the two car garage has been removed, the representative is proposing to access the property via Valley Park Road.

The adjoining property immediately to the north is State Highway 76, with the Country Club Heights residential subdivision being located further to the north. The adjoining property immediately to the south is primarily light, single-family residential. The adjoining property immediately to the east is Valley Park Road, with vacant property being located further to the east. The adjoining property immediately to the west is commercial, with single family residential being located further to the west.

The project received a score of -8 on the Policy Checklist, out of a maximum possible score of 27. The relative policies receiving a negative score consist of emergency water supply, use compatibility, utilities and traffic.

## **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 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. Parking shall be provided in compliance with the provisions of the Taney County Development Guidance Code.
5. Normal business hours of operation shall be Tuesday through Friday 10:00 AM to 4:00 PM.
6. No outside storage of equipment or solid waste materials, other than automobiles.
7. This decision is subject to all existing easements.
8. East 76 Motors has been approved as a Special-Use Permit. Therefore the permit is specific to the applicant to whom the permit is issued and cannot be transferred without Planning Commission approval. The Special-Use Permit shall not be used to establish commercial compatibility for or with any future land-use change applications.
9. Division II Permits will be required for any applicable structures in the development (Chapter 3 Sec. I Item B).
10. 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).





156.16'

115

134.65'

130.69'

177.17'  
60.17'

21.94'

143.44'

76.6'

VALLEY PARK

DOGWOOD

East 76 Motors		Permit#:	16-22		
Division III Relative Policy Scoring Sheet: Eastern Taney County		Performance Value	Importance Factor	Score	Section Score
<b>Water Quality</b>					
SEWAGE DISPOSAL	n/a=	x			
centralized system		2	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			
<b>Environmental Policies</b>					
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			
<b>Critical Areas</b>					
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			
<b>Land Use Compatibility</b>					
OFF-SITE NUISANCES	n/a=				
no issues		2	4	1	4
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
<b>STRUCTURAL SCREENING OF ROOFTOP EQUIPMENT &amp; VENTS</b> 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			
<b>STRUCTURAL SCREENING OF SOLID WASTE CONTAINERS</b> 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			
<b>STRUCTURAL SCREENING OF OUTDOOR EQUIP, STORAGE, ETC.</b> 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			
<b>LANDSCAPED BUFFERS -- RESIDENTIAL</b> 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			
<b>LANDSCAPED BUFFERS - INDUSTRIAL</b> 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			
<b>Local Economic Development</b>				
<b>AGRICULTURAL LANDS</b> 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			
<b>RIGHT TO FARM</b> 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			
<b>RIGHT TO OPERATE</b> 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			

East 76 Motors		Permit#:	16-22		
Division III Relative Policy Scoring Sheet: Eastern Taney County		Performance Value	Importance Factor	Score	Section Score
<b>DIVERSIFICATION</b>		n/a=	x		
creates >=5 full-time, year-round jobs outside of recreation / resort sector		2	4		
creates full-time, year-round and seasonal jobs		1			
creates seasonal jobs only		0			
<b>Site Planning, Design, Occupancy</b>					
<b>RESIDENTIAL PRIVACY</b>		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			
<b>MIXED-USE DEVELOPMENTS</b>		n/a=			
uses / functions are compatible or not applicable		2	3	1	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			
<b>Commercial Development</b>					
<b>DEVELOPMENT PATTERN / BUFFERING</b>		n/a=	x		
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			
<b>Services - Capacity and Access</b>					
<b>UTILITIES</b>		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			
<b>TRAFFIC</b>		n/a=			
no impact or insignificant impact on current traffic flows		0	2	-1	-2
traffic flow increases expected but manageable using existing roads and road accesses		-1			
traffic flow increases exceed current road capacities		-2			
<b>EMERGENCY SERVICES</b>		n/a=	x		
structure size and/or access can be serviced by emergency equipment		0	3		
structure size and/or access may impede but not hinder serviceability		-1			
structure size and/or access could be problematic or non-serviceable		-2			



East 76 Motors		Permit#:	16-22		
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			
<b>Internal Improvements</b>					
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	2	
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			

East 76 Motors		Permit#:	16-22		
Divislon III Relative Policy Scoring Sheet: Eastern Taney County		Performance Value	Importance Factor	Score	Section Score
<b>Open-Space Density</b>					
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			
<b>Solid Waste Disposal</b>					
SOLID WASTE DISPOSAL SERVICE AVAILABILITY	n/a=	x			
weekly service is available and documentation of availability provided		0	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= -8

Maximum Possible Score= 27

Actual Score as Percent of Maximum= -29.6%

Number of Negative Scores= 4

Negative Scores as % of Total Score= 11.4%

Scoring Performed by:

*Bob Atchley & Bonita Kissee/Soutee*

Date:

*September 29, 2016*

Project: **East 76 Motors**

Permit#: **16-22**

Policies Receiving a Negative Score	
Importance Factor 5:	<b>emergency water supply</b>
Importance Factor 4:	<b>use compatibility utilities</b>
Importance Factor 3:	none
Importance Factor 2:	<b>traffic</b>
Importance Factor 1:	none

Scoring by: *Bob Atchley & Bonita Kisse/Soutee*

Date: *September 29, 2016*



# Eastern District Relative Policies: Division III Permit

Project: **East 76 Motors**

Permit: **16-22**

	Max. Possible	As Scored	%	Total Negative Scores	
<b>Scoring</b>	27	-8	-29.6%	4	50.0%

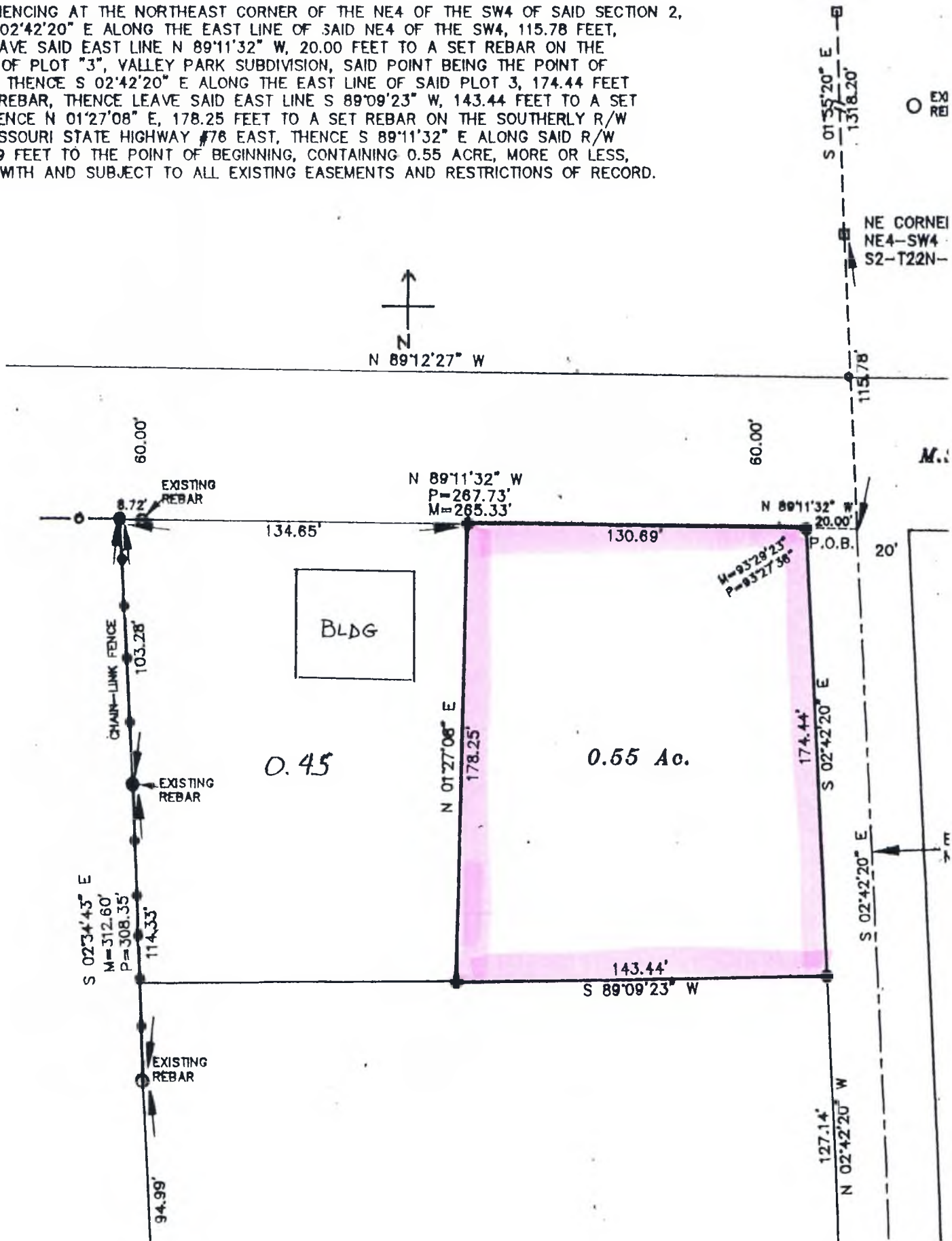
	Max. Possible	As Scored	Negative Scores	
			Number of	Percent
<b>Importance Factor 5</b>	5	-5	1	50.0%
sewage disposal				
right-of-way / roads	5	5		
emergency water supply	0	-10		
waste disposal service				
waste disposal commitment				
<b>Importance Factor 4</b>	16	-4	2	50.0%
stormwater drainage				
air quality				
off-site nuisances	8	4		
use compatibility	0	-4		
diversification				
development buffering				
utilities	0	-4		
pedestrian circulation				
underground utilities	8	0		
<b>Importance Factor 3</b>	6	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	6	3		
emergency services				
water systems				
<b>Importance Factor 2</b>	0	-2	1	100.0%
residential landscape buffers				
right to operate				
residential privacy				
traffic	0	-2		
pedestrian safety				
usable open space				
<b>Importance Factor 1</b>				
agricultural lands				
bicycle circulation				

Scoring by: *Bob Atchley & Bonita Kisse/Soutee*  
 Date: *September 29, 2016*

**DESCRIPTION:**

A SURVEY OF PART OF PLOT "3" OF VALLEY PARK SUBDIVISION OF THE NE4 OF THE SW4 OF SECTION 2, TOWNSHIP 22 NORTH, RANGE 21 WEST, TANEY COUNTY, MISSOURI, AS PER THE RECORDED PLAT THEREOF AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NE4 OF THE SW4 OF SAID SECTION 2, THENCE S 02°42'20" E ALONG THE EAST LINE OF SAID NE4 OF THE SW4, 115.78 FEET, THENCE LEAVE SAID EAST LINE N 89°11'32" W, 20.00 FEET TO A SET REBAR ON THE EAST LINE OF PLOT "3", VALLEY PARK SUBDIVISION, SAID POINT BEING THE POINT OF BEGINNING, THENCE S 02°42'20" E ALONG THE EAST LINE OF SAID PLOT 3, 174.44 FEET TO A SET REBAR, THENCE LEAVE SAID EAST LINE S 89°09'23" W, 143.44 FEET TO A SET REBAR, THENCE N 01°27'08" E, 178.25 FEET TO A SET REBAR ON THE SOUTHERLY R/W LINE OF MISSOURI STATE HIGHWAY #78 EAST, THENCE S 89°11'32" E ALONG SAID R/W LINE 130.69 FEET TO THE POINT OF BEGINNING, CONTAINING 0.55 ACRE, MORE OR LESS, TOGETHER WITH AND SUBJECT TO ALL EXISTING EASEMENTS AND RESTRICTIONS OF RECORD.







# East 76 Motors







**East 76 Motors**  
**3032 East State Highway 76, Branson, MO**  
**Division III Permit Case # 2016-0022**  
**Taney County GIS - Beacon**















**East 76 Motors**  
**3032 East State Highway 76, Branson, MO**  
**Division III Permit Case # 2016-0022**  
**Pictometry – View from the North**





**East 76 Motors**  
**3032 East State Highway 76, Branson, MO**  
**Division III Permit Case # 2016-0022**  
**Pictometry – View from the South**



**East 76 Motors**  
**3032 East State Highway 76, Branson, MO**  
**Division III Permit Case # 2016-0022**  
**Pictometry – View from the East**



**East 76 Motors**  
**3032 East State Highway 76, Branson, MO**  
**Division III Permit Case # 2016-0022**  
**Pictometry – View from the West**



















