



TANEY COUNTY PLANNING COMMISSION

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**MINUTES
TANEY COUNTY PLANNING COMMISSION
PUBLIC HEARING
MONDAY, MAY 12, 2008, 7:00 P.M.
ASSOCIATE CIRCUIT COURT, DIVISION II COURTROOM
TANEY COUNTY COURTHOUSE**

Call to Order:

Chairman Sarah Klinefelter called the meeting to order at 7:00 p.m. A quorum was established with five members present. They were: Sarah Klinefelter, Shawn Pingleton, Joey Staples, Ray Edwards, and Frank Preston. Staff present: Eddie Coxie, Marla Pierce, Bonita Kisse, Dan Nosalek, Keith Crawford, and Bob Paulson.

Eddie Coxie read a statement explaining the meeting procedures.

Public Hearings:

Holiday Hills Condo Association: request by Holiday Hills Condo Association to construct an office/shop building on 1.49 acres located off Rockford Drive. Eddie Coxie read the staff report and presented pictures and a video of the site. No one signed up to speak. There were no questions or discussion from the Commission. Staff discussed access. This project will proceed to final vote next week.

Combs-Redfern Apartments: request by the Taney County Board for the Developmentally Disabled to construct a 15 unit apartment building for adults with developmental disabilities located north of the Tantone Industries Sheltered workshop building. Eddie Coxie read the staff report and presented pictures and a video of the site. Lisa Munden who owns property adjoining the project site presented a handout outlining the points of concern. The main concern was the close proximity of the structure to the single family subdivision. The lighted parking lot is a concern because most of the homes bedrooms are to the back of the homes next to the parking lot. Also staff will be coming and going from the parking lot at all times in Ms. Munden's opinion. On the site plan there is an easement providing ingress coming from the subdivision. Another concern was for the type of people being housed in the apartments, because there are lots of children in the subdivision and their safety is a concern. Jessica Kittle and her

parents who also lives in the Spring Meadows Subdivision, presented written concerns. Both property owners stated that they didn't want to stop the building from being constructed, but had concerns for the safety of their neighborhood. Ms. Kittle discussed the location of the utilities, and stated there is a drainage problem within the subdivision. Other concerns were buffering, lighting, security, how many violent residents, and sex offenders would be housed in the apartments. Betty Russell also a resident of the subdivision voiced concerns regarding safety, noise, light, and destruction of the natural vegetation. Ms. Russell stated that there is enough property on the site that the building could be build further away from the subdivision. Max Lytle representing the project addressed the concerns. He stated that if there is a way to *move* the project further to the south might alleviate the concerns such as parking lot, lighting and noise. It can't be *move* too far to the south but possibly can be *moved* some. There is no intention to use an ingress and egress through Spring Meadows Subdivision. The only access is from St. Hwy. 76. There will be no violent residents or sex offenders. The residents will be totally from Taney County, with mental disabilities as well as physical disabilities. The average age will be young to middle aged adults who cannot take care of themselves. There will be no staff leaving or arriving in the middle of the night. A privacy fence will be installed between this site and the subdivision so there will be no direct line of site between the two properties. Shawn Pingleton reported that there are ways to address light trespass. The detention pond will be fenced and bermed for safety. Mr. Edwards asked Mr. Lytle to have the information by next meeting regarding where the recreation building will go and how far the apartments can be *moved*. This project will proceed to final *vote* next week.

Emerald Pointe: request by Emerald Pointe, LLC to plat 50 acres more or less into 160 residential lots for Phase 12 of the subdivision and is located off Hill Haven Road and St. Hwy. 265. Eddie Coxie read the staff report and presented pictures and a video of the site. Bruce Menke representing the developer addressed questions from the Commission and stated that the access will be from Emerald Pointe through the gated entrance. Lots will be sold which will be bigger than 8000 sq. ft. ranging in price from \$500,000. The lot owners will contract their own homes. Mr. Menke presented preliminary site plans. For Sale signs will only be posted on properties that have homes built on them. Hill Haven Road will not be an access. This project will proceed to final *vote* next week.

165 Commercial: request by Daniel C. Ruda to subdivide 5 acres for commercial purposes located off St. Hwy. 165. Eddie Coxie read the staff report and presented pictures and a video of the site. Eddie Wolfe representing the developer addressed questions from the Commission. Mr. Wolfe stated that the request is to split the property and place a sales trailer on one of the lots. Mr. Wolfe gave a history of the site and previous request and stated that there is an access platted for the back of the property. If the sales trailer hooks to City of

Branson wastewater, it will be annexed. This project will proceed to final vote next week.

Highway 248 Business Park: request by Table Rock Investments, LLC to develop 3.3 acres into an office/warehouse project located at St. Hwy. 248 and Dawn Road. Eddie Coxie read the staff report and presented pictures and a video of the site. No one signed up to speak. Eddie Wolfe representing the developer explained that Tom Boyce would place his maintenance shop on Lot 2. The front of the property would be retail. According to Mr. Wolfe there will be more than enough parking. Storm retention will be done to the back of the property. Mr. Wolfe reported that the theatre abutting this property runs a pipe which drains onto Table Rock Investment property. The two property owners are working with each other to address this issue. Dawn Road is a private easement and not maintained by City or County. This project will proceed to final vote next week.

B.A. Guns: request by Gene Meadows to operate a gun shop in the existing Meadows of Eden reception and banquet hall located at St. Hwy. 176. Eddie Coxie read the staff report and presented pictures and a video of the site. Mr. Meadows addressed questions from the Commission. Hours of operation would be 10:00 a.m. to 7:00 p.m. Monday through Saturday. Only part of the building would be used. The reception hall will still be in use. There will not be an indoor firing range. This project will proceed to final vote next week.

Bear Creek Spirits: request by James D. Blansit to operate a business to produce distilled spirits located off Day Road. Eddie Coxie read the staff report and presented pictures and a video of the site. Mr. Blansit addressed questions from the Commission and stated that the closest neighbor was across the street. There will not be a lot of traffic. He has contacted ATF, and the State. They will allow him to have wholesale and retail. There will not be a liquor by the drink license. Tasting can occur for free for the purpose of purchasing. The Sewer District has been contacted, and the road department will be contacted for the entrance to come from the County Road. This project will proceed to final vote next week.

Verizon Wireless SSL Tower: request by KOMC-KRZK, LLC to allow Verizon Wireless to place a communication tower on their property located at 11307 U.S. Hwy. 160. Eddie Coxie read the staff report and presented pictures and a video of the site. Arletta Davidson representing Verizon addressed questions from the Commission and the adjacent property owner. This project will proceed to final vote next week.

Old and New Business:

Sarah Klinefelter presented a letter of resignation from Craig Trotter. Mrs. Klinefelter asked staff to send Craig a letter thanking him for his service.

Discussion followed with Mr. Pennel stating that a letter will be sent by the County Commission. Staff will get a thank you card for the Planning Commissioners to sign.

Height Amendment: Mr. Coxie asked for any recommendations from the Planning Commission to send to the County Commission. Discussion followed regarding assigning points. Shawn Pingleton encouraged the County Commission to leave in the Amendment; "this is a voluntary adherence not a building code" and stated that he was offended that the Planning Commission was accused by the public that they were trying to implement building codes. Further discussion followed regarding measurements. Mr. Pennel asked that when they plan to vote on this to place it on the agenda. Staff will post for the June 9, 2008 meeting. Mr. Paulson discussed state statute and how it addresses building codes and height amendments.

Mr. Coxie reported that he met with Missouri Partners regarding the noise study and for the developer to do it would cost them \$100,000. Staff has obtained a study the City of Hollister did. Staff has written a technical plan regarding a noise study. Keith Crawford explained this study, and gave some examples. Mr. Crawford reported that to put up a barrier between the track and adjoining property might actually make the noise worse. Mrs. Klinefelter asked Mr. Crawford to call Nascar and ask them for their noise analysis. Shawn Pingleton discussed db levels and frequencies, which are in the report Mr. Crawford did.

Adjournment.

With no other business on the agenda for May 12, 2008 a motion was made by Shawn Pingleton to adjourn. Seconded by Joey Staples. The vote to adjourn was unanimous. The meeting adjourned at 8:50 p.m.