



TANEY COUNTY PLANNING COMMISSION

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MINUTES
TANEY COUNTY PLANNING COMMISSION
REGULAR MEETING
MONDAY, JUNE 16, 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 eight members present. The were: Sarah Klinefelter, Joey Staples, Jim Brawner, Frank Preston, Ray Edwards, Shawn Pingleton, Mark Blackwell, and Randall Cummings. Staff present: Eddie Coxie, Marla Pierce, Bonita Kisse, Dan Nosalek, Keith Crawford, and Bob Paulson.

Mr. Coxie read a statement explaining the meeting procedures.

Review and Action:

Minutes, May 2008: with no additions or corrections a motion was made by Ray Edwards to approve the minutes as written. Seconded by Joey Staples. The vote to approve was unanimous.

Final Votes:

Branson Storage: Gus Dahlberg requests approval to split an existing parcel into two lots with improvements on one lot located off St. Hwy. 248. Mrs. Klinefelter clarified the project. Eddie Wolfe represented the applicant. After discussion a motion was made by Jim Brawner to approve based upon the decision of record. Ray Edwards seconded. The vote to approve was unanimous.

Addition to Forest Lake at Stonebridge Village: Missouri Partners, Inc. request to develop a single family subdivision and 9 hole golf course located off Limestone Dr. Mrs. Klinefelter and Eddie Wolf clarified the project. There will be an access off Keystone Road which is to the north. Fire protection will come from Stone County. There is a question if Taney County will provide fire protection on their side. After discussion a motion was made by Ray Edwards to approve based upon the decision of record. Jim Brawner seconded. The vote to approve was unanimous.

RKC Properties: New Horizons Community Church request to construct a gym, office, and warehouse located at 1192 Bird Road. Eddie Wolfe represented the developer. Mrs. Klinefelter clarified the project. After discussion a motion was

made by Randall Cummings to approve based upon the decision of record with the addition of a temporary turn around in the form of a gravel hammerhead in place of the current cul de sac. Seconded by Mark Blackwell. The vote to approve was unanimous.

Wildflower Learning Center: Carla and Rick Quincey request to operate a small private school located at 160 Old Glory Road. This project withdrew.

Highway 65 Project: This project was tabled at the April 2008 final vote until a noise study could be done. A motion was made to remove this from the table by Shawn Pingleton. Seconded by Jim Brawner. The vote to place the request back on the table was unanimous. Mr. Coxie read the staff report again to update the Commission on the project. Mrs. Klinefelter clarified the request. Bob Allen representing the developer addressed questions from the Commission. Mr. Allen stated that the first phase would amount to approximately eighty five million dollars. Mrs. Klinefelter reported that letters from surrounding property owners opposing the project have been received. Information in the form of reports on noise have been done and the Planning Commission now feels they are well informed enough to make a decision. Mr. Allen reported that the developer will make sure that all rules will be followed and the developer plans to be a good neighbor to the surrounding residents. He also reported on all the studies that have been done on the project. Mr. Paulson clarified that the entire project was applied for so the Planning Commission must approve or disapprove the entire plan, not just part of it. Mr. Edwards discussed the Condominiums being privately owned. Mr. Allen stated that these would be controlled by management. Plans are that phase one will be built out by July 2010. Discussion has begun with MoDot by the developer. Eddie Wolfe reported that there is an existing road which will be tied to the outer road to Hwy. 160 in the first phase. This will be done by the developer at his cost. Mr. Preston discussed the race track and how it would benefit the area, and why the Planning Commission must approve the entire project and not be able to remove the racetrack from the plan. Mr. Allen stated that the race track is the major element and would take away from the attractiveness of the project. Discussion followed regarding the number of businesses in the area of the project. Thirty eight letters were sent out to property owners. There is a bed and breakfast within 1000 feet. Mr. Allen stated that the developer plans to monitor the decibel level of the race track. Mr. Pingleton was concerned that the County does not have any authority to enforce a noise ordinance. Mr. Wolfe stated that if the project is approved it contains some residential and multi-family, which the developer would want to protect as well. Mr. Allen stated that the developer does not want to build an offensive project. Mr. Brawner stated that even though there has been a lot of information, he still has a lot of questions before he could make a decision. Mr. Edwards stated that they still don't know what kind of cars would be using the track. Mr. Allen stated that the track would be dirt, limiting the types of racing

that could be done. Mr. Wolfe stated that the Commission can't enforce the noise anyway. Mrs. Klinefelter asked about protecting the crawfish that are endangered in Emory Creek. Mr. Allen stated that all DNR regulations will be followed regarding this matter and that every effort will be done to protect the species. No problem is insurmountable in Mr. Allen's opinion. Mr. Wolfe stated that the Corps of Engineers would be issuing the final permit on the dam. Mr. Pingleton made a statement that the project in his opinion is not compatible and there are too many questions in his mind that have not been answered. Mr. Wolfe reminded the Commission that they approved a revision of the Cross project which is a commercial venture and that it is just north of this one. Further discussion followed regarding noise. Mr. Allen stated that if they could make a certain decibel reading in the decision of record, they could comply with it. After discussion a motion was made by Shawn Pingleton to deny. Seconded by Ray Edwards. The vote to deny was six in favor, and one against. Mr. Pingleton asked that all studies be included in the file for future reference.

Concepts:

Burns Storage: K. Dan and Mary E. Burns request approval to construct ten 10 x 20 storage units and move in six sea crates 8 x 40 for storage on property located at 13839 St. Hwy. 160. Mrs. Burns explained her project and location. Mrs. Klinefelter asked for location of access, buffering, and accessibility to the units be presented before the public hearing. Mr. Pingleton suggested the applicant contact MoDot regarding the entrance. This project will proceed to public hearing next month.

Parkside Storage: Michael L. Patton requests approval to construct a metal storage building with office space located at the corner of St. Hwy. 165 and Dale Avenue. Mr. Patton explained his request. He has spoke with the sewer district regarding hooking the office to the existing wastewater system. The application included an additional building but Mr. Coxie explained that this request would include the one building and office for now. This project will proceed to public hearing next month.

Grannemann Vacation Home: Chad and Adriana Grannemann request to operate a vacation home as weekly rentals from a single family dwelling located at Winkle Road. Mr. Grannemann explained the request and presented location maps and other information on the project. This property is the log cabin on the corner across from a previously approved project for condominiums. This property has been operating for three years as a nightly rental. The applicant purchased the property as a single family dwelling then began renting but did not know he needed a permit. Discussion followed. A motion was made by Randall Cummings to cease operations until approval is given. Discussion followed regarding enforcement. The applicant asked to be able to proceed through the next month with his rental. Ron Herschend representing his

constituents stated that if the applicant had responded when first notified he would not be in this situation, and asked that the Commission require the applicant to cease and desist by the end of the week. Further discussion followed regarding other nightly rentals in the neighborhood. Mr. Preston explained some concerns voiced to him from some of the neighbors. Mr. Grannemann reported that they have never had any trouble from any of the people he has rented to and he and his family and friends also stay in the house. Shawn Pingleton seconded the motion by Mr. Cummings. The motion was unanimous for the applicant to cease and desist in ten days from this meeting. This project will proceed to public hearing next month.

Jernigan Subdivision: Barbara Jean Jernigan requests to subdivide a 1.07 acre lot into 3 residential lots located at 232 Bent Oak Road. Ms. Jernigan explained her request. There is an existing residence on one lot. Discussion followed. This project will proceed to public hearing next month.

Universal Auto and Accessories: Brian Karn requests to operate a used car lot from an existing car wash located at 1225 Ridgedale Road. This project postponed until next month.

Old and New Business:

Height Amendment: Mr. Coxie presented the new height amendment revisions and explained how they were arrived at. This was presented to the Commission a month ago, but the vote was postponed so the public could attend before being sent to the County Commission for their approval. Discussion followed regarding the policy checklist. Shawn Pingleton made a motion to send the draft amendment to the County Commission for their approval. Seconded by Mark Blackwell. The vote to approve was unanimous.

Mr. Coxie reported his findings on the nightly rental approval at Branson Canyon as requested by the Commission last meeting.

Mr. Preston presented a new sign regarding nightly or weekly rental in any single family residences being against the Code. This new sign as been posted once so far. Mr. Herschend stated that this was done to protect the public.

Adjournment:

With no other business on the agenda for June 16, 2008 a motion was made by Ray Edwards to adjourn. Seconded by Jim Brawner. The vote to adjourn was unanimous. The meeting adjourned at 9:10 p.m.