

**PLANNING COMMISSION**

May 7, 2019  
7:00 PM  
Council Chambers

**CALL TO ORDER**

**ROLL CALL**

Commissioners Present: Commissioners Howden, Loyd, Nichols Richards, Skains,  
Vice-Chairperson Pinkley and Chairperson Harris

Commissioners Absent: Commissioners Burney, O’Day and Romine

Staff Present: Joel Hornickel Director of Planning & Development  
Amy Jackson Planner  
Chris Lebeck City Attorney  
Tara Norback Utilities Plan Examiner  
Randy Fogle Division Chief of Technical Services

**PUBLIC COMMENTS**

None.

**REGULAR AGENDA ITEMS**

**1. Approve Minutes**

- a) March 5, 2019 Study Session
- b) March 5, 2019 Regular Meeting

MOTION:

Motion by Commissioner Loyd and seconded by Commissioner Howden to approve the March 5, 2019 minutes as presented by staff. Motion unanimously carried.

**OLD BUSINESS**

None.

**PUBLIC HEARING AGENDA ITEMS**

**2. Request to Amend the Special Use Permit to Construct an Accessory Structure within the Property Located at 225 Grand Summit Point, Branson, Missouri.**

**Project No. 19-1.3 (19-00100003)**

**Owner/Applicant: Tommy Tran/Gregg Richards**

Mr. Hornickel presented the staff report as filed with the Planning and Development Department.

Chairperson Harris asked if any of the Commissioners had any questions or comments for staff.

Commissioner Richards stated he needed to recuse himself from the item.

Vice-Chairperson Pinkley asked if the footings were already in place as stated during the previous meeting by the applicant.

Mr. Gregg Richards approached and stated he was the agent for the applicant. He stated his comment regarding the footings during the previous meeting was based on information he received from someone who lived nearby the property.

Commissioner Skains asked staff if all the requirements provided in the approved resolution had been satisfied.

Mr. Hornickel stated they had.

Chairperson Harris asked if any of the Commissioners had any other questions for the applicant; there was no response. He then asked if there was anyone present who wished to make a comment or ask a question in regards to the request; there was no response. He then asked if any of the Commissioners had any other questions for staff; there was no response. He entertained a motion.

**MOTION:**

Motion by Commissioner Howden and seconded by Commissioner Pinkley to approve Resolution 19-1.3 as presented.

**AYES:** Commissioners Howden, Loyd, Nichols, Skains, Vice-Chairperson Pinkley and Chairperson Harris.

**NOES:** None.

**ABSTAIN:** None.

**ABSENT:** Commissioners Burney, O'Day, Richards and Romine

Motion to approve Resolution 19-1.3 carried with a 6-0 vote.

**3. Request for a Final Subdivision Plat for Summit Ridge Residences, for the Properties Located at 101 Vista View Drive, Branson, Missouri.  
Project No. 19-8.1 (19-00800001)  
Owner/Applicant: BH Land, LLC**

Mr. Hornickel presented the staff report as filed with the Planning and Development Department.

Chairperson Harris asked if any of the Commissioners had any questions or comments for staff.

Commissioner Skains asked if the residences would be sold as whole ownership.

Mr. Hornickel stated the purpose of the subdivision plat was so they could be sold as whole ownership.

Chairperson Harris asked if any of the Commissioners had any questions or comments for staff; there was no response. He then asked if the applicant was present and wished to provide an update of the project.

Mr. Gary Fultz approached and stated he was representing the applicant. He stated the project was going well. He stated it would be a fifty-five and older community and once the clubhouse was completed there would be more sales opportunities. He stated staff was great to work with on the project and he appreciated all their help and guidance throughout the process.

Commissioner Loyd asked staff if the entire parcel was under development.

Mr. Hornickel stated only the northwest portion was being developed. He stated an undeveloped parcel would still remain between the development at the RecPlex.

Chairperson Harris asked if any of the Commissioners had any additional questions or comments for the applicant; there was no response. He then asked if there was anyone else present who wished to make a comment or ask a question in regards to the request; there was no response. He then asked if any of the Commissioners had any other questions; there was no response. He entertained a motion.

**MOTION:**

Motion by Commissioner Nichols and seconded by Commissioner Skains to approve Resolution 19-8.1 as presented.

**AYES:** Commissioners Howden, Loyd, Nichols, Richards, Skains, Vice-Chairperson Pinkley and Chairperson Harris.

**NOES:** None.

**ABSTAIN:** None.

**ABSENT:** Commissioners Burney, O'Day and Romine

Motion to approve Resolution 19-8.1 carried with a 7-0 vote.

4. **Request to Remove Property from Planned Development PD-96-001, known as Epps, Epps and Blackman and a Zoning Change to Low Density Residential (LDR) District for the Property Located at 890 James F. Epps Road, Branson, Missouri.  
Project No. 19-3.1 (19-00300001)  
Owner/Applicant: Great Southern Bank**

Mr. Hornickel presented the staff report as filed with the Planning and Development Department.

Commissioner Skains stated the entrance shown on the site plan is a possible safety concern.

Mr. Hornickel stated the current request provided a great opportunity to throw out the current, approved site plan for a better one.

Commissioner Nichols asked about the current ownership of the remaining properties within the Planned Development

Mr. Hornickel stated Ms. Blackman was the owner of the remaining parcels in the Planned Development. He stated she had contacted staff right before the meeting, but she did not have any concerns with the request. He stated they inquired about her willingness to rezone her properties as well, but she did not provide a definitive answer.

Chairperson Harris asked if the Commissioners had any other questions for staff; there was no response. He then asked if the applicant was present and wanted to come forward.

Ms. Jerany Jackson approached and stated she would be representing the property owner, Great Southern Bank, how had hired them to assist with the process. She stated they had surveyed the property and began exploring potential designs for future opportunities.

Commissioner Skains asked if there were any current plans for development of the property.

Ms. Jackson stated there were no current plans.

Chairperson Harris asked if the Commissioners had any other questions for the applicant; there was no response. He then asked if there was anyone else present who wished to make a comment or ask a question in regards to the request

Mr. Bob Huels approached and stated he had been asked by some of the property owners in Branson North to come and speak on their behalf regarding their concerns for any future development which would not compliment their neighborhood.

Chairperson Harris asked if there was anyone else present who wished to make a comment or ask a question in regards to the request; there was no response. He then asked if any of the Commissioners had any other questions for staff; there was no response. He entertained a motion.

MOTION:

Motion by Commissioner Skains and seconded by Commissioner Howden to approve Resolution 19-3.1 as presented.

AYES: Commissioners Howden, Loyd, Nichols, Richards, Skains, Vice-Chairperson Pinkley and Chairperson Harris.

NOES: None.

ABSTAIN: None

ABSENT: Commissioners Burney, O’Day and Romine.

Motion to approve Resolution 19-3.1 carried with a 7-0 vote.

**5. Request for Municipal Code Amendments to Chapter 94 Pertaining to the Definition of an Accessory Building, Setbacks within the Community Commercial (CC) District, and References to the City Engineer.**

**Project No. 19-12.4 (19-0120004)**

**Applicant: City of Branson**

Mr. Hornickel presented the staff report as filed with the Planning and Development Department.

Chairperson Harris asked if any of the Commissioners had any questions for staff.

Commissioner Howden asked if the tree removal deposit of \$500 could be distinguished between residential and commercial.

Mr. Hornickel stated the tree removal deposit was only \$50 per tree, regardless of zoning district.

Commissioner Richards asked what the tree preservation specifications were.

Mr. Hornickel stated the goal for having tree preservation codes was to ensure trees survive beyond the construction of any new development or project.

Commissioner Loyd asked why staff designation could not be made in code.

Mr. Hornickel stated the City prefers to not use the term “designee” and instead simply lists the department director for both simplicity and to assign ultimate responsibility for certain codes.

Chairperson Harris asked if any of the Commissioners had any other questions for staff; there was no response. He then asked if there was anyone present who wished to make a comment or ask a question in regards to the request; there was no response. He then asked if any of the Commissioners had any other questions; there was no response. He entertained a motion.

MOTION:

Motion by Commissioner Howden and seconded by Commissioner Richards to approve Resolution 19-12.4 as presented.

- AYES: Commissioners Howden, Loyd, Nichols, Richards, Skains, Vice-Chairperson Pinkley and Chairperson Harris.
- NOES: None.
- ABSTAIN: None
- ABSENT: Commissioners Burney, O'Day and Romine.

Motion to approve Resolution 19-12.4 carried with a 7-0 vote.

**COMMISSIONER & STAFF REPORTS**

None.

**ADJOURN**

Motion by Commissioner Nichols, seconded by Commissioner Richards, and unanimously carried to adjourn the meeting at 8:19 PM.

  
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Clark Harris, Chairperson

7-2-19  
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Date

  
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Joel Hornickel, Director of Planning & Development

7/2/19  
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Date