

== NOTICE OF MEETING ==

PLANNING COMMISSION

Regular Meeting – July 7, 2020 – 7:00 p.m.
Council Chambers – Branson City Hall – 110 W. Maddux Street

AGENDA

CALL TO ORDER

ROLL CALL

PUBLIC COMMENTS

REGULAR AGENDA ITEMS

- 1) Approve Minutes
 - a) May 5, 2020 Regular Meeting
 - b) June 2, 2020 Study Session
 - c) June 2, 2020 Regular Meeting
- 2) Election
 - a) Chairperson
 - b) Vice-Chairperson

OLD BUSINESS

- 3) Request for High Density Residential (HDR) Zoning for the Property Located at 135 Lake Front Drive, Branson, Missouri.
- 4) Request for a Special Use Permit to Allow a Telecommunications Tower within the Property Located at 1972 State Highway 165, Branson, Missouri.
- 5) Request for a Municipal Code Amendment to Chapter 94 - Zoning.

PUBLIC HEARING AGENDA ITEMS

- 6) Request for a Special Use Permit to Allow a Restaurant with a Drive-Thru within the Property Located at 1715 West 76 Country Boulevard, Branson, Missouri.
- 7) Request for a Special Use Permit to Operate a Campground and Vehicle Park within the Property Located at 2527 State Highway 248, Branson, Missouri.
- 8) Request for High Density Residential (HDR) Zoning for the Property Located at 150 Gunner Hill Lane, Branson, Missouri.

[Powerpoint]

Where Values are the Difference

JULY: Teamwork/Cooperation

Less me, more we: working toward a common goal.

For more information please visit www.bransonmo.gov or contact:

Lisa Westfall, City Clerk, 417-337-8522

Posted: June 30, 2020

At: _____ By: _____

Page 1 of 2

== NOTICE OF MEETING ==

PLANNING COMMISSION

Regular Meeting – July 7, 2020 – 7:00 p.m.
Council Chambers – Branson City Hall – 110 W. Maddux Street

AGENDA (cont.)

COMMISSIONER AND STAFF REPORTS

ADJOURN

Where Values are the Difference

JULY: Teamwork/Cooperation

Less me, more we: working toward a common goal.

For more information please visit www.bransonmo.gov or contact:

Lisa Westfall, City Clerk, 417-337-8522

Posted: June 30, 2020

At: _____ By: _____

Page 2 of 2

**PLANNING COMMISSION
REGULAR MEETING**

May 5, 2020
7:00 PM
Council Chambers

This meeting was held virtually due to the COVID-19 virus and the recommendations of the Centers for Disease Control along with the State and City Emergency Proclamations that were in effect. The Planning Commission and City staff joined the meeting on an online platform.

CALL TO ORDER

ROLL CALL

Commissioners Present: Commissioners Loyd, Nichols, O’Day, Romine, Skains, Vice-Chairperson Pinkley and Chairperson Harris

Commissioners Absent: Commissioners Davis, Howden and Richards

Staff Present: Joel Hornickel Planning & Development Director
Chris Lebeck City Attorney
Randy Fogle Division Fire Chief of Technical Services
Matt Filice Assistant City Engineer
Tara Norback Utilities Plan Reviewer

PUBLIC COMMENTS

None.

REGULAR AGENDA ITEMS

1. Approve Minutes

- a) March 3, 2020 Study Session
- b) March 3, 2020 Regular Meeting

MOTION:

Motion by Commissioner Skains and seconded by Commissioner Romine to approve the March 3, 2020 minutes as presented by staff. Motion unanimously carried.

2. Election for Chairperson and Vice-Chairperson.

- a) Chairperson.
- b) Vice-chairperson.

MOTION:

Motion by Vice-Chairperson Pinkley and seconded by Commissioner Skains to postpone the election until the July 7, 2020 meeting. Motion unanimously carried.

OLD BUSINESS

None.

PUBLIC HEARING AGENDA ITEMS

3. Request for a Final Subdivision Plat for 248 Parkway, Phase II, for the Properties Located at 1601, 1649 and 1819 State Highway 248, Branson, Missouri.

Project No. 20-8.1 (20-00800001)

Owner/Applicant: Rojana Enterprises, Inc./Booker Cox

Speakers: Mr. Todd Chandler

MOTION:

Motion by Commissioner Skains and seconded by Commissioner O’Day to approve Resolution 20-8.1 as presented.

AYES: Commissioners Loyd, Nichols, O’Day, Romine, Skains, Vice-Chairperson Pinkley and Chairperson Harris.

NOES: None.

ABSTAIN: None.

ABSENT: Commissioners Davis, Howden and Richards.

Motion to approve Resolution 20-8.1 carried with a 7-0 vote.

4. Request for a Special Use Permit to Operate a Restaurant with a Drive-Thru within the Property Located at 1700 West 76 Country Boulevard, Branson, Missouri.

Project No. 20-1.1 (20-00100001)

Owner/Applicant: Morris Hospitality, LLC/Kurtis McMurray

Speakers: Mr. Ronnie Hart

MOTION:

Motion by Commissioner Skains and seconded by Commissioner Nichols to approve Resolution 20-1.1 as presented.

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

Motion to approve Resolution 20-1.1 carried with a 7-0 vote.

**5. Request for a Special Use Permit to Operate a Campground and Vehicle Park within the Property Located at 2527 State Highway 248, Branson, Missouri.
Project No. 20-1.2 (20-00100002)
Owner/Applicant: US Flanson Cultural Entertainment, LLC/Michael Mairot**

Speakers: Mr. Mike Mairot

MOTION:

Motion by Commissioner Skains and seconded by Vice-Chairperson Pinkley to amend Resolution 20-1.2 as follows:

- 4. A maximum of [~~four~~] **two** spaces for recreational vehicles, or campsites, shall be allowed within the existing parking area located to the south of the existing building; and,
- 8. [~~All conditions of it~~] This resolution authorizing the issuance of this Special Use Permit shall [~~be met or actively pursued before May 5, 2021~~] **expire December 31, 2020.**

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

Motion to amend Resolution 20-1.2 carried with a 7-0 vote.

Motion by Vice-Chairperson Pinkley and seconded by Commissioner Skains to approve Resolution 20-1.2 as amended.

AYES: None.
NOES: Commissioners Loyd, Nichols, O’Day, Romine, Skains, Vice-Chairperson Pinkley and Chairperson Harris.

ABSTAIN: None.
ABSENT: Commissioners Davis, Howden and Richards.

Motion to approve Resolution 20-1.2 failed with a 0-7 vote.

**6. Request to Amend the Special Use Permit to Operate a Helicopter Tour Business within the Property Located at 3309 West 76 Country Boulevard, Branson, Missouri.
Project No. 20-3 (SU20-000003)
Owner/Applicant: The Track, LLC/Branson Helicopters, LLC**

Speakers: Mr. Camron McAhren

MOTION:

Motion by Commissioner Skains and seconded by Commissioner Romine to approve Resolution 20-3 as presented.

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

Motion to approve Resolution 20-3 carried with a 7-0 vote.

COMMISSIONER & STAFF REPORTS

None.

ADJOURN

Motion by Commissioner Skains, seconded by Vice-Chairperson Pinkley, and unanimously carried to adjourn the meeting at 8:52 PM.

Clark Harris, Chairperson

Date

Joel Hornickel, Planning & Development Director

Date

**PLANNING COMMISSION
STUDY SESSION**

June 2, 2020

6:30 PM

Planning and Development Conference Room

ROLL CALL

Commissioners Present: Commissioners Davis, Loyd, Richards, Romine, and Vice-Chairperson Pinkley

Commissioners Absent: Commissioners Howden, Nichols, O’Day, Skains, and Chairperson Harris

Staff Present: Joel Hornickel Director of Planning & Development
Perry Eckhardt Senior Planner
Tara Norback Utilities Plan Reviewer

No quorum present.

Clark Harris, Chairperson

Date

Joel Hornickel, Director of Planning & Development

Date

**PLANNING COMMISSION
REGULAR MEETING**

June 2, 2020
7:00 PM
Council Chambers

CALL TO ORDER

ROLL CALL

Commissioners Present: Commissioners Davis, Loyd, Richards, Romine, and Vice-Chairperson Pinkley

Commissioners Absent: Commissioners Howden, Nichols, O’Day, Skains, and Chairperson Harris

Staff Present: Joel Hornickel Planning & Development Director
Perry Eckhardt Senior Planner
Randy Fogle Division Fire Chief of Technical Services
Tara Norback Utilities Plan Reviewer

Others Present: Edd Akers Mayor

No quorum present.

Clark Harris, Chairperson

Date

Joel Hornickel, Director of Planning & Development

Date

**Branson Planning Commission
Staff Report and Recommendation
Project No. ZO20-3 (20-000003)**

LOCATON: 135 LAKE FRONT DRIVE

OWNER/APPLICANT: CABANA HOME, LLC/DARRELL HANSON

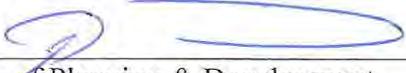
ITEM/SUBJECT: REQUEST FOR HIGH DENSITY RESIDENTIAL (HDR) ZONING FOR THE PROPERTY LOCATED AT 135 LAKE FRONT DRIVE, BRANSON, MISSOURI.

DATE: JULY 7, 2020 (ORIGINALLY SCHEDULED FOR JUNE 2, 2020)

INITIATING DEPARTMENT: PLANNING & DEVELOPMENT

COMMUNITY PLAN 2030: LU 5.3. *Zone all un-zoned properties within city limits.*

APPROVED BY:



Director of Planning & Development

June 26, 2020

Date

STAFF REPORT:

A Zoning Application has been received from Darrell Hanson on behalf of Cabana Homes, LLC, requesting High Density Residential (HDR) zoning for property located at 135 Lake Front Drive. The property is located within the Lodges at Chateau Cove development, which is located on the west side of State Highway 265, approximately 1,850 feet north of the entrance to Chateau on the Lake Resort, Spa and Convention Center. The surrounding properties are zoned HDR. This parcel, like the surrounding properties, contains a residential structure which is being used for nightly rentals.

The applicant requested annexation into the City on May 11, 2020, and the petition for annexation was formally presented to the Board of Alderman on May 26, 2020. The Board of Aldermen approved the first reading for the request on June 9, 2020, and then the final reading on June 23, 2020. This request is to now establish zoning for the property which is reflective of the existing use of the property and complimentary to the adjacent properties as opposed to Agriculture (A) zoning per Branson Municipal Code Section 94-34. Because this property was not within the city limits at the time, it was not included in the Community Plan 2030's Preferred Land Use Plan (Figure 10).

STAFF RECOMMENDATION:

Staff recommends approval of Resolution 20-3.

COMMENTS:

No additional comments were provided by any other departments relating to the applicant's request.

ATTACHED INFORMATION:

- 1) Zoning Application
- 2) Vicinity Maps
- 3) Preferred Future Land Use Plan (Figure 10)



ZONING APPLICATION
 110 W. Maddux St., Ste. 215, Branson, MO 65616
 417-337-8549/Fax 417-334-2391

Office Use Only	
REZO ZON	2013
Date Applied 5/14/20	

Property Information

911 Property Address 135 Lake Front Drive (Building 10A)
 Property Owner Cabana Homes LLC Owner is applicant
 Contact Name Darrell Hanson Email CabanaHomesBranson@gmail.com
 Mailing Address 6005 Garden Spring CT, Crestwood, KY 40014 Phone 502.741.9649

Agent Information (if different from property owner)

Name _____ Email _____
 Mailing Address _____ Phone _____

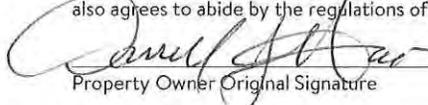
Additional Required Information

- Check box below that corresponds with your request.
 - Zoning Change (\$760): Current zoning district _____ requested change _____
 - Zoning Request (\$631): Requested zoning district HDR
- Current use of property: Nightly rental
- Proposed use of property or reason for zoning request:

Per previous development agreement with City
- Attach a recent copy of the **WARRANTY DEED/DEED OF TRUST** and check the appropriate box below:
 - No deed restrictions
 - A list of **DEED RESTRICTIONS** have been attached to application.

Property Owner / Agent Acknowledgement

In signing this application, the applicant acknowledges all information provided is complete and accurate. The applicant also agrees to abide by the regulations of the Branson Municipal Code.

 Darrell J Hanson 8 May 2020
 Property Owner Original Signature Print Name Date

Agent Original Signature _____ Print Name _____ Date _____

OFFICE USE ONLY					
✓	Description	Comments	✓	Description	Comments
	Warranty Deed/Deed of Trust			Public notice date	
	Deed Restrictions			Public hearing date	
				Additional fees paid	
				Staff Initials	

VICINITY MAPS - AERIAL



1 inch = 200 feet

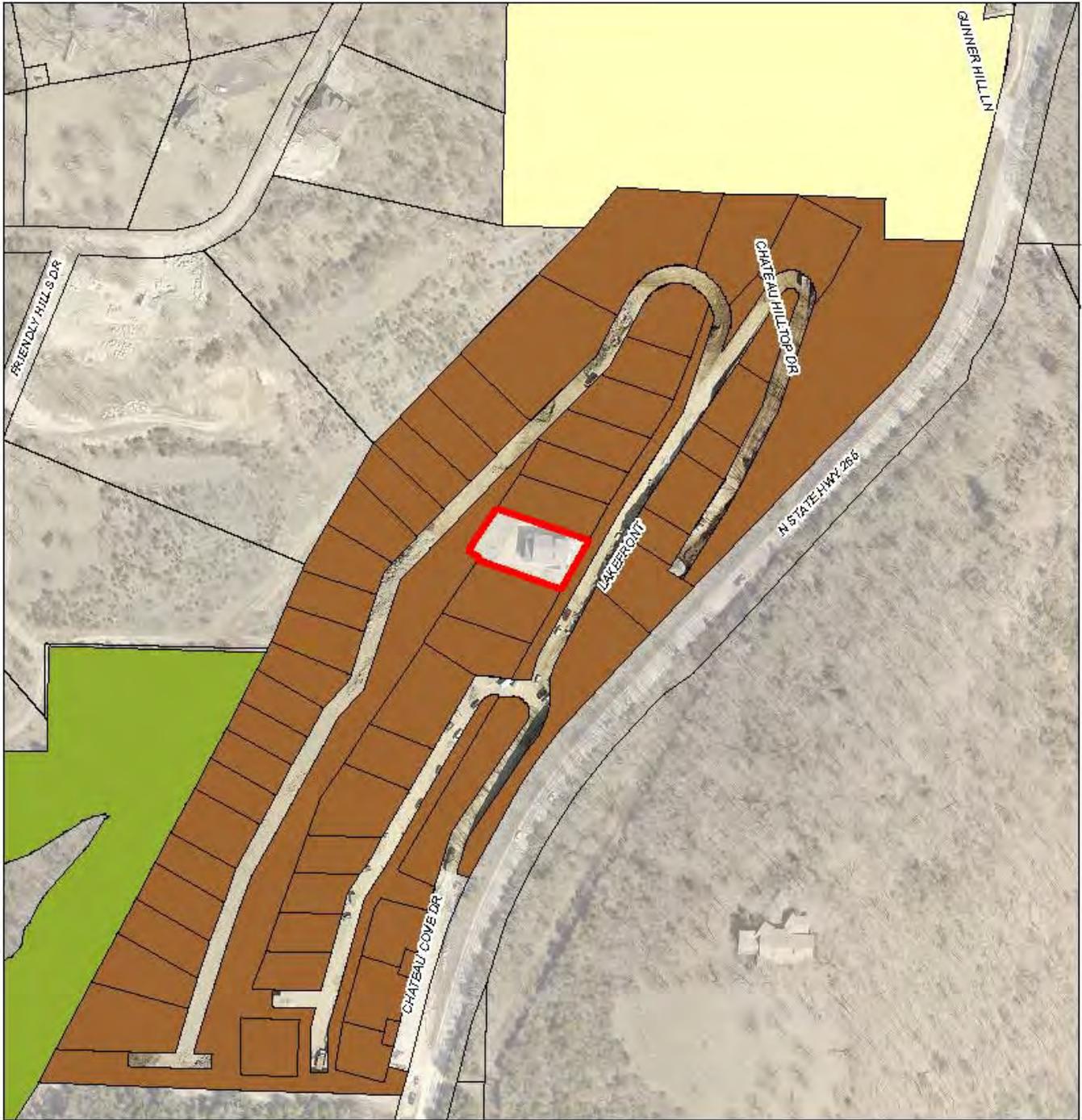
City of Branson
Planning & Development
Date: 5/12/2020

135 Lakefront Dr

Legend

-  Sanitary Sewer Manholes
-  Liftstation
-  Sewer Gravity Mains
-  Sewer Pressurized Mains
-  Water Hydrants
-  Water System Valves
-  Water Mains
-  STORM INLET STRUCTURES
-  STORM INTAKE STRUCTURES
-  STORM OUTFALL STRUCTURES
-  STORM_SEWER_PIPE
-  DISTRIBUTION
-  TRANSMISSION

VICINITY MAPS - CURRENT ZONING



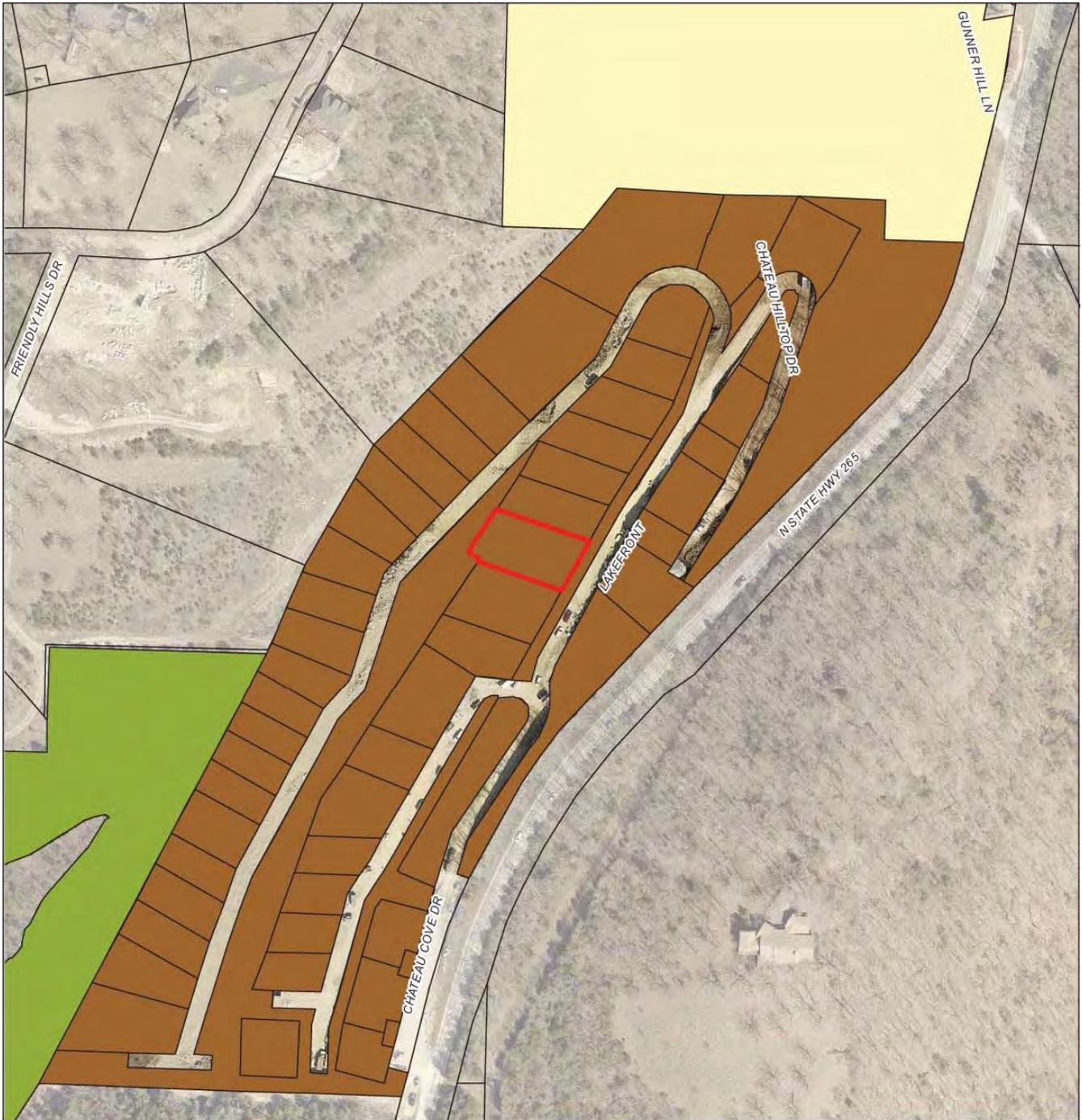
1 inch = 200 feet

City of Branson
 Planning & Development
 Date: 5/12/2020

135 Lakefront Dr

Agricultural	Neighborhood Commercial	Business
Conservation	Mixed-Use	Industrial
Low Density Residential	Community Commercial	Planned Development
Medium Density Residential	Downtown	Unzoned
High Density Residential	Entertainment	

VICINITY MAPS - PROPOSED ZONING



1 inch = 200 feet

City of Branson
 Planning & Development
 Date: 5/12/2020

135 Lakefront Dr

 Agricultural	 Neighborhood Commercial	 Business
 Conservation	 Mixed-Use	 Industrial
 Low Density Residential	 Community Commercial	 Planned Development
 Medium Density Residential	 Downtown	 Unzoned
 High Density Residential	 Entertainment	

VICINITY MAPS - ORTHOMETRIC VIEWS



VIEW FROM THE NORTH



VIEW FROM THE EAST

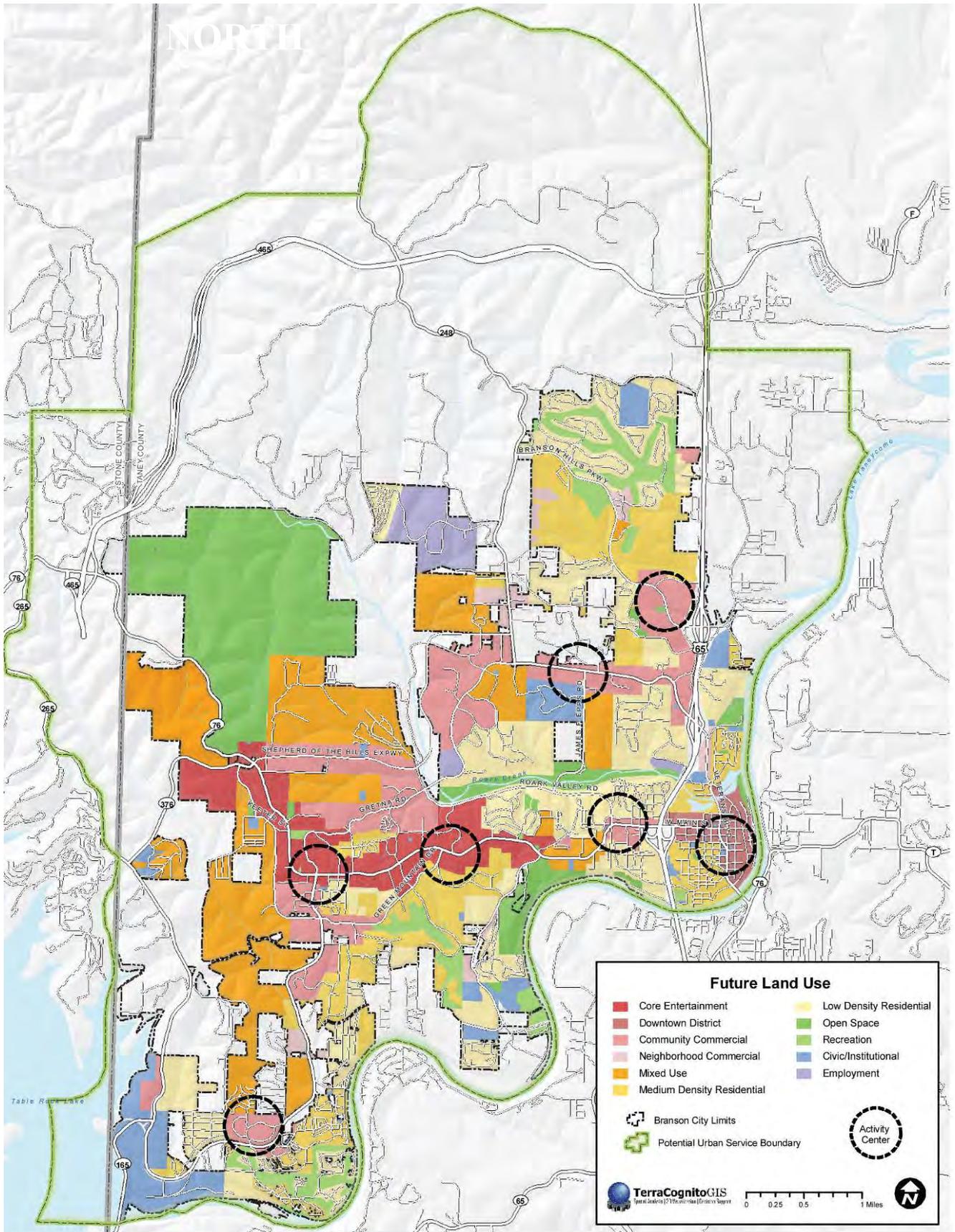


VIEW FROM THE SOUTH



VIEW FROM THE WEST

PREFERRED FUTURE LAND USE PLAN



PLANNING COMMISSION

RESOLUTION NO. ZO20-3 (20-000003)

A PLANNING COMMISSION RESOLUTION RECOMMENDING APPROVAL OF HIGH DENSITY RESIDENTIAL (HDR) ZONING FOR THE PROPERTY LOCATED AT 135 LAKE FRONT DRIVE, BRANSON, MISSOURI.

WHEREAS, a Zoning Application has been initiated by Darrell Hanson on behalf of Cabana Homes, LLC, for approval of High Density Residential (HDR) zoning for the property located at 135 Lake Front Drive, legally described as follows:

BUILDING 10A, LODGES AT CHATEAU COVE, PHASE 4, A CONDOMINIUM AS PER THE RECORDED AMENDED PLAT THEREOF, PLAT BOOK/SLIDE L, PAGES 311, TANEY COUNTY, MISSOURI, AND ACCORDING TO THE DECLARATION OF CONDOMINIUM AND BY-LAWS THEREOF, AS RECORDED IN BOOK 2018, PAGE(S) 23220, AS AMENDED.

WHEREAS, the Zoning Regulations for the City of Branson, Missouri, require a Public Hearing before the Planning Commission for the approval of High Density Residential (HDR) zoning; and,

WHEREAS, a Public Hearing was held before the Planning Commission on July 7, 2020, at 7:00 PM in the Council Chambers located at 110 W. Maddux Street, Branson, Missouri; and,

WHEREAS, all required documentation and payment of the required filing fee have been received by the City of Branson.

BE IT THEREFORE RESOLVED, that the Planning Commission for the City of Branson hereby recommends approval of High Density Residential (HDR) zoning for the property located at 135 Lake Front Drive, Branson, Missouri.

DONE THIS 7TH DAY OF JULY 2020, BY THE PLANNING COMMISSION FOR THE CITY OF BRANSON, MISSOURI.

Clark Harris - Chairman

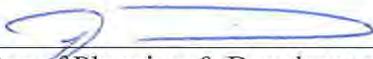
ATTEST:

Joel Hornickel – Planning and Development Director

**Branson Planning Commission
Staff Report and Recommendation
Project No. SU20-4 (20-000004)**

LOCATION:	1972 STATE HIGHWAY 165
OWNER/APPLICANT:	CHAMPAGNE 165 PROPERTIES, LLC / TELECOM REALTY CONSULTANTS, LLC
ITEM/SUBJECT:	<u>REQUEST FOR A SPECIAL USE PERMIT TO ALLOW A TELECOMMUNICATIONS TOWER WITHIN THE PROPERTY LOCATED AT 1972 STATE HIGHWAY 165, BRANSON MISSOURI.</u>
DATE:	JULY 7, 2020 (ORIGINALLY SCHEDULED FOR JUNE 2, 2020)
INITIATING DEPARTMENT:	PLANNING & DEVELOPMENT DEPARTMENT

APPROVED BY:



Director of Planning & Development

 JUNE 26, 2020

Date

STAFF REPORT:

A Special Use Application has been received from Paul Wrablica on behalf of Telecom Realty Consultants, LLC, to allow a telecommunications tower within the property located at 1972 State Highway 165. The property, which is approximately four acres more or less, is located between Champagne Boulevard and Terrace Road, approximately 250 feet north of State Highway 165. It is currently zoned Community Commercial (CC) and contains an existing self-storage business within an approximately 37,000 square foot structure. The adjacent properties are also currently zoned Community Commercial.

The applicant's request is to construct a 100-foot tall monopole communications tower and a walk-up cabinet/generator within a 900 square foot area of leased land within the property for AT&T and potential future carriers. The area is proposed to be located on the east side, or rear, of the existing building and protected by a six-foot tall chain-link fence. It is proposed to be accessible from Champagne Boulevard through a 20 foot wide access easement.

Due to the tower's proposed height and location within 20,000 feet of the runway at M. Graham Clark Downtown Airport, the applicant will be required to complete the Federal Aviation Administration's (FAA) Form 7460-1 – Notice of Proposed Construction or Alteration, and the Federal Communications Commission's (FCC) Antenna Structure Registration (ASR). However, lighting will not be required for the tower as the proposed height is below the 200-foot threshold as required by the FAA regulations.

The ground position of the proposed tower has been determined to be in a moderately visible area based on Figure 4 of the Community Plan 2030. This determination was made based on the location being visible from approximately three to nine observer points of the 299 total observer points (1% - 3%) located along major corridors within the Branson area. In relation to the other reference points in the same vicinity, the base elevation of the proposed site is approximately 941 feet, which is lower than Table Rock Dam (946 feet) and the intersection of West 76 Country Boulevard and State Highway 165 (1,042 feet), but higher than the intersection of State Highway 265 and State Highway 165 (918 feet) and the intersection of State Highway 165 and Fall Creek Road (748 feet).

STAFF RECOMMENDATIONS:

Staff recommends approval of Resolution SU20-000004 based on the following conditions:

1. The design, installation, and operation of the telecommunications tower and facilities shall be in accordance with all applicable city, state, and federal requirements; and,
2. The telecommunications tower and facilities shall generally conform with the submitted site plan, Exhibit A, and shall conform to all Codes and Ordinance of the City; and,
3. The facilities shall be appropriately screened with landscaping as required in Branson Municipal Code Chapter 94; and,
4. Documentation showing the issuance of the Federal Communications Commission's Antenna Structure Registration shall be provided to the Planning and Development Department prior to the erection of the tower; and,
5. If conditions 1 through 4 of this Resolution authorizing the issuance of this Special Use Permit are not acted upon on or before July 7, 2021, this Special Use Permit shall be null and void; and,
6. If use of the telecommunications tower ceases, the applicant shall remove the tower within 180 days. Failure to remove the abandoned tower shall be grounds for the City to cause removal at the expense of the property owner.

MUNICIPAL CODE REGULATIONS:

The following regulations should be considered by the Commission in formulating a decision:

Branson Municipal Code Section 94-16. Special uses.

(a) Permit Required

A special use permit shall be required from the Planning Commission for any use listed as a special use in any zoning district, and for any use not listed in any zoning district. A special use permit in review is intended to allow the establishment of uses that have a special impact, uniqueness, or effect on the neighborhood surrounding the subject site.

(b) Review and Approval Criteria

In considering a special use, the Planning Commission shall consider the location and design of the proposed use, configuration of improvements, potential impacts on the surrounding neighborhood, and that development in each zoning district protects the integrity of that district, and following a hearing, the commission shall record the decision in writing and shall recite the findings upon which the decision is based.

The commission may approve or modify a special use permit application in whole, or in part with conditions, only if all the following findings are made:

- (1) The proposed use is conditionally permitted within, and would not impair the integrity and character of the intended purpose of the subject zoning district, and complies with all of the applicable provisions of this chapter;*
- (2) The proposed use is consistent with the Community Plan 2030;*
- (3) There will be no significant negative effects upon environmental quality and natural resources that could not be properly mitigated and monitored;*
- (4) The design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses within the general area in which the proposed use is to be located, and will not create significant noise, traffic, or other conditions or situations that may be objectionable or detrimental to other permitted uses in the vicinity, or adverse to the public interest, health, safety, convenience or welfare of the city;*

- (5) The subject site is physically suitable for the type and density/intensity of use being proposed; and*
- (6) There are adequate provisions for public access, water, sanitation, and public utilities and services to ensure that the proposed use would not be detrimental to the public health and safety.*

COMMENTS:

No additional comments were provided by any other departments relating to the applicant's request.

ATTACHED INFORMATION:	1) Special Use Application
	2) Vicinity Maps
	3) Figure 4: Highly Visible Hillside

PLANNING & DEVELOPMENT DEPARTMENT

PLANNING & ZONING | BUILDING PERMITS | SIGN PERMITS



Special Use - New Special Use Permit
Address: 1972 STATE HWY 165
Description: AT&T Monopole @ Champagne 165 Properties, LLC

SU20-000004
Application Date: 04/28/2020

Application Information*:

Applicant Name	Paul Wrablica
Applicant Email	pwrablica@me.com
Applicant Address	
Applicant Company Name	Telecom Realty Consultants, LLC
Applicant Company Address	3864 West 75th Street Prairie Village KS 66208
Applicant Home Phone	
Applicant Cell Phone	(913) 449-4774
Applicant Work Phone	
Are you the property owner?	No
Would you like to add additional team members?	Yes
Additional Team Member 1 Name	CHAMPAGNE 165 PROPERTIES LLC
Additional Team Member 1 Email	
Additional Team Member 1 Address	414 BAUXHILL COURT KATY TX 77450
Additional Team Member 1 Company Name	
Additional Team Member 1 Company Address	
Additional Team Member 1 Home Phone	
Additional Team Member 1 Cell Phone	
Additional Team Member 1 Work Phone	
Requested use	Special Use for a telecommunications facility
Are there deed restrictions?	No

* Only fields that were populated are shown.

Documents:

Attach any relevant information such as a written description, site plans, graphics, photos and other documentation:

[14341459.AE101.200417.KS4468.NSB.ZDs.REV.C.1.pdf](#)

Attach a recent copy of the Warranty Deed/Deed of Trust: [KS4468 Branson Wyndam - Warranty Deed.pdf](#)

Attach property owner acknowledgement and notarization: [Owner Authorization AT&T Special Use Application.pdf](#)

Applicant Signature: [signature.png](#)

Document: [TerraceParkwayTBTZ.jpg](#)

Email: [Notice of Public Hearing - Planning Commission.htm](#)

Document: [NN List.xlsx](#)

Document: [Legal Proof.pdf](#)

Email: [Planning Application Payment Required.htm](#)



Property Owner Acknowledgement

In signing this acknowledgement, the property owner supports the request and agrees that all information provided is complete and accurate. The property owner also agrees to abide by the regulations of the Branson Municipal Code and understands they may be held responsible for any violation.

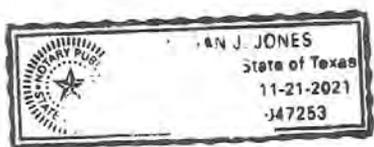
Property address: 1972 State Hwy 165, Branson, MO 65616

Wanda J. Braswell Wanda J. Braswell 4/27/2020
Property Owner Signature Print Name Date

STATE OF Texas)
COUNTY OF Harris) SS.

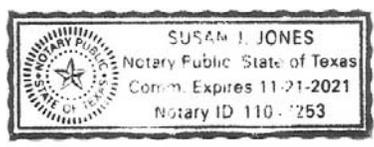
On this 27th day of April, 2020, before me personally appeared Wanda J. Braswell to me known to be the property owner described in and who executed the foregoing application, and acknowledged that he/she executed the same as his/her free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at my office in Katy, TX the day and year first above written.



Susan J. Jones
Notary Public

My term expires: 11-21-2021



SHEET INDEX	
NO.	DESCRIPTION
T-1	TITLE SHEET
S-1	SITE SURVEY
S-2	SITE SURVEY
S-3	SITE SURVEY
S-4	SITE SURVEY
Z-1	OVERALL SITE AND SETBACK PLAN
Z-2	ENLARGED SITE PLAN
Z-3	TOWER ELEVATION

DRIVING DIRECTIONS

SCAN QR CODE FOR LINK TO SITE LOCATION MAP



SITE LOCATION MAP



PROJECT TEAM

at&t PROJECT MANAGER
1700 OLIVE BLVD
BRANSON, MO 64614

Fullerton ENGINEER
100 E. WOODFIELD ROAD, SUITE 200
SCARBOROUGH, MISSOURI 63773
PHONE: 417-337-1000
FAX: 417-337-1001
WWW.FULLERTONENGINEER.COM

PROJECT SUMMARY

SITE NAME: BRANSON WYNDAM
SITE NO: KS4468
FA LOCATION CODE: 14341459
SITE ADDRESS: 1972 STATE HIGHWAY 165
BRANSON, MO 64614

COUNTY: TANAGER
SITE COORDINATES: (EPCOR, A LETTER)
ELEVATION: 1130.000
LONGITUDE: -93.28987
SOUNDING ELEVATION: 94.17 (MMSL)

STRUCTURE TYPE: 100' - MONOPOLE
ZONING: CC - COMMUNITY COMMERCIAL
OCCUPANCY: U - UTILITY
SUBSECTION: CITY OF BRANSON, MO

ADJACENT: AT&T OLIVE BLVD
CROSS CORNR, MO 64141

PROPERTY OWNER: CHAMBERLAIN ROBERTS LLC
414 BLACKHILL COURT
KATY, TX 77499
(281) 435-7499

PARCEL NUMBER: 18440-14002001-000200

BUILDING CODE: 2018 INTERNATIONAL BUILDING CODE
ELECTRICAL CODE: 2017 NATIONAL ELECTRICAL CODE
POWER COMPANY: EMPRE ELECTRIC - ADMINISTRATIVE AREA
FIBER COMPANY: CENTURY LINK

ENGINEER'S LICENSE

CERTIFICATION STATEMENT:
I CERTIFY THAT THESE DRAWINGS WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND CONTROL, AND TO THE BEST OF MY KNOWLEDGE AND BELIEF THEY COMPLY WITH THE REQUIREMENTS OF ALL APPLICABLE CODES.

APPROVALS

ATE CORSET	DATE
ATE #1	DATE
ATE #2	DATE
LANDLORD	DATE

NOTES:

- HANDICAP ACCESS REQUIREMENTS ARE NOT REQUIRED
- FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION
- FACILITY HAS NO PLUMBING OR RETENEMENTS
- THE FACILITY SHALL BE EXCISED ALL P.A. AND P.C.C. REGULATORY REQUIREMENTS
- ALL NEW MATERIAL SHALL BE NUMBERED AND RETAILED BY CONTRACTOR LABELS NOTED OTHERWISE. CONTRACTOR SHALL COORDINATE WITH PROJECT MANAGER PRIOR TO CONSTRUCTION

SCOPE OF WORK:

- PROPOSED MONOPOLE AND FOUNDATION
- PROPOSED AT&T CHAIN LINK FENCE
- PROPOSED AT&T ANTENNAS
- PROPOSED AT&T CABLES
- PROPOSED UTILITY 4-INCH
- PROPOSED CHAIN LINK FENCE

#	DATE	DESCRIPTION	REV
A	10/20/20	ISSUE FOR PERMIT	1.0
B	10/20/20	ISSUE FOR PERMIT	1.0
C	10/20/20	ISSUE FOR PERMIT	1.0

BRANSON WYNDAM

SITE NO: KS4468

SITE ADDRESS: 1972 STATE HIGHWAY 165
BRANSON, MO 64614

BRANSON WYNDAM

1972 STATE HIGHWAY 165
BRANSON, MO 64614

100' - MONOPOLE

PROJECT MANAGER

1700 OLIVE BLVD
BRANSON, MO 64614

ENGINEER

Fullerton ENGINEER
100 E. WOODFIELD ROAD, SUITE 200
SCARBOROUGH, MISSOURI 63773
PHONE: 417-337-1000
FAX: 417-337-1001
WWW.FULLERTONENGINEER.COM

PROJECT TEAM

at&t PROJECT MANAGER
1700 OLIVE BLVD
BRANSON, MO 64614

Fullerton ENGINEER
100 E. WOODFIELD ROAD, SUITE 200
SCARBOROUGH, MISSOURI 63773
PHONE: 417-337-1000
FAX: 417-337-1001
WWW.FULLERTONENGINEER.COM

PROJECT SUMMARY

SITE NAME: BRANSON WYNDAM
SITE NO: KS4468
FA LOCATION CODE: 14341459
SITE ADDRESS: 1972 STATE HIGHWAY 165
BRANSON, MO 64614

COUNTY: TANAGER
SITE COORDINATES: (EPCOR, A LETTER)
ELEVATION: 1130.000
LONGITUDE: -93.28987
SOUNDING ELEVATION: 94.17 (MMSL)

STRUCTURE TYPE: 100' - MONOPOLE
ZONING: CC - COMMUNITY COMMERCIAL
OCCUPANCY: U - UTILITY
SUBSECTION: CITY OF BRANSON, MO

ADJACENT: AT&T OLIVE BLVD
CROSS CORNR, MO 64141

PROPERTY OWNER: CHAMBERLAIN ROBERTS LLC
414 BLACKHILL COURT
KATY, TX 77499
(281) 435-7499

PARCEL NUMBER: 18440-14002001-000200

BUILDING CODE: 2018 INTERNATIONAL BUILDING CODE
ELECTRICAL CODE: 2017 NATIONAL ELECTRICAL CODE
POWER COMPANY: EMPRE ELECTRIC - ADMINISTRATIVE AREA
FIBER COMPANY: CENTURY LINK

ENGINEER'S LICENSE

CERTIFICATION STATEMENT:
I CERTIFY THAT THESE DRAWINGS WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND CONTROL, AND TO THE BEST OF MY KNOWLEDGE AND BELIEF THEY COMPLY WITH THE REQUIREMENTS OF ALL APPLICABLE CODES.

APPROVALS

ATE CORSET	DATE
ATE #1	DATE
ATE #2	DATE
LANDLORD	DATE

NOTES:

- HANDICAP ACCESS REQUIREMENTS ARE NOT REQUIRED
- FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION
- FACILITY HAS NO PLUMBING OR RETENEMENTS
- THE FACILITY SHALL BE EXCISED ALL P.A. AND P.C.C. REGULATORY REQUIREMENTS
- ALL NEW MATERIAL SHALL BE NUMBERED AND RETAILED BY CONTRACTOR LABELS NOTED OTHERWISE. CONTRACTOR SHALL COORDINATE WITH PROJECT MANAGER PRIOR TO CONSTRUCTION

SCOPE OF WORK:

- PROPOSED MONOPOLE AND FOUNDATION
- PROPOSED AT&T CHAIN LINK FENCE
- PROPOSED AT&T ANTENNAS
- PROPOSED AT&T CABLES
- PROPOSED UTILITY 4-INCH
- PROPOSED CHAIN LINK FENCE

PROJECT TEAM

at&t PROJECT MANAGER
1700 OLIVE BLVD
BRANSON, MO 64614

Fullerton ENGINEER
100 E. WOODFIELD ROAD, SUITE 200
SCARBOROUGH, MISSOURI 63773
PHONE: 417-337-1000
FAX: 417-337-1001
WWW.FULLERTONENGINEER.COM

PROJECT SUMMARY

SITE NAME: BRANSON WYNDAM
SITE NO: KS4468
FA LOCATION CODE: 14341459
SITE ADDRESS: 1972 STATE HIGHWAY 165
BRANSON, MO 64614

COUNTY: TANAGER
SITE COORDINATES: (EPCOR, A LETTER)
ELEVATION: 1130.000
LONGITUDE: -93.28987
SOUNDING ELEVATION: 94.17 (MMSL)

STRUCTURE TYPE: 100' - MONOPOLE
ZONING: CC - COMMUNITY COMMERCIAL
OCCUPANCY: U - UTILITY
SUBSECTION: CITY OF BRANSON, MO

ADJACENT: AT&T OLIVE BLVD
CROSS CORNR, MO 64141

PROPERTY OWNER: CHAMBERLAIN ROBERTS LLC
414 BLACKHILL COURT
KATY, TX 77499
(281) 435-7499

PARCEL NUMBER: 18440-14002001-000200

BUILDING CODE: 2018 INTERNATIONAL BUILDING CODE
ELECTRICAL CODE: 2017 NATIONAL ELECTRICAL CODE
POWER COMPANY: EMPRE ELECTRIC - ADMINISTRATIVE AREA
FIBER COMPANY: CENTURY LINK

ENGINEER'S LICENSE

CERTIFICATION STATEMENT:
I CERTIFY THAT THESE DRAWINGS WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND CONTROL, AND TO THE BEST OF MY KNOWLEDGE AND BELIEF THEY COMPLY WITH THE REQUIREMENTS OF ALL APPLICABLE CODES.

#	DATE	DESCRIPTION	REV
A	10/20/20	ISSUE FOR PERMIT	1.0
B	10/20/20	ISSUE FOR PERMIT	1.0
C	10/20/20	ISSUE FOR PERMIT	1.0

BRANSON WYNDAM

SITE NO: KS4468

SITE ADDRESS: 1972 STATE HIGHWAY 165
BRANSON, MO 64614

BRANSON WYNDAM

1972 STATE HIGHWAY 165
BRANSON, MO 64614

100' - MONOPOLE

PROJECT MANAGER

1700 OLIVE BLVD
BRANSON, MO 64614

ENGINEER

Fullerton ENGINEER
100 E. WOODFIELD ROAD, SUITE 200
SCARBOROUGH, MISSOURI 63773
PHONE: 417-337-1000
FAX: 417-337-1001
WWW.FULLERTONENGINEER.COM

PROJECT TEAM

at&t PROJECT MANAGER
1700 OLIVE BLVD
BRANSON, MO 64614

Fullerton ENGINEER
100 E. WOODFIELD ROAD, SUITE 200
SCARBOROUGH, MISSOURI 63773
PHONE: 417-337-1000
FAX: 417-337-1001
WWW.FULLERTONENGINEER.COM

PROJECT SUMMARY

SITE NAME: BRANSON WYNDAM
SITE NO: KS4468
FA LOCATION CODE: 14341459
SITE ADDRESS: 1972 STATE HIGHWAY 165
BRANSON, MO 64614

COUNTY: TANAGER
SITE COORDINATES: (EPCOR, A LETTER)
ELEVATION: 1130.000
LONGITUDE: -93.28987
SOUNDING ELEVATION: 94.17 (MMSL)

STRUCTURE TYPE: 100' - MONOPOLE
ZONING: CC - COMMUNITY COMMERCIAL
OCCUPANCY: U - UTILITY
SUBSECTION: CITY OF BRANSON, MO

ADJACENT: AT&T OLIVE BLVD
CROSS CORNR, MO 64141

PROPERTY OWNER: CHAMBERLAIN ROBERTS LLC
414 BLACKHILL COURT
KATY, TX 77499
(281) 435-7499

PARCEL NUMBER: 18440-14002001-000200

BUILDING CODE: 2018 INTERNATIONAL BUILDING CODE
ELECTRICAL CODE: 2017 NATIONAL ELECTRICAL CODE
POWER COMPANY: EMPRE ELECTRIC - ADMINISTRATIVE AREA
FIBER COMPANY: CENTURY LINK

ENGINEER'S LICENSE

CERTIFICATION STATEMENT:
I CERTIFY THAT THESE DRAWINGS WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND CONTROL, AND TO THE BEST OF MY KNOWLEDGE AND BELIEF THEY COMPLY WITH THE REQUIREMENTS OF ALL APPLICABLE CODES.

APPROVALS

ATE CORSET	DATE
ATE #1	DATE
ATE #2	DATE
LANDLORD	DATE

NOTES:

- HANDICAP ACCESS REQUIREMENTS ARE NOT REQUIRED
- FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION
- FACILITY HAS NO PLUMBING OR RETENEMENTS
- THE FACILITY SHALL BE EXCISED ALL P.A. AND P.C.C. REGULATORY REQUIREMENTS
- ALL NEW MATERIAL SHALL BE NUMBERED AND RETAILED BY CONTRACTOR LABELS NOTED OTHERWISE. CONTRACTOR SHALL COORDINATE WITH PROJECT MANAGER PRIOR TO CONSTRUCTION

SCOPE OF WORK:

- PROPOSED MONOPOLE AND FOUNDATION
- PROPOSED AT&T CHAIN LINK FENCE
- PROPOSED AT&T ANTENNAS
- PROPOSED AT&T CABLES
- PROPOSED UTILITY 4-INCH
- PROPOSED CHAIN LINK FENCE

PROJECT TEAM

at&t PROJECT MANAGER
1700 OLIVE BLVD
BRANSON, MO 64614

Fullerton ENGINEER
100 E. WOODFIELD ROAD, SUITE 200
SCARBOROUGH, MISSOURI 63773
PHONE: 417-337-1000
FAX: 417-337-1001
WWW.FULLERTONENGINEER.COM

PROJECT SUMMARY

SITE NAME: BRANSON WYNDAM
SITE NO: KS4468
FA LOCATION CODE: 14341459
SITE ADDRESS: 1972 STATE HIGHWAY 165
BRANSON, MO 64614

COUNTY: TANAGER
SITE COORDINATES: (EPCOR, A LETTER)
ELEVATION: 1130.000
LONGITUDE: -93.28987
SOUNDING ELEVATION: 94.17 (MMSL)

STRUCTURE TYPE: 100' - MONOPOLE
ZONING: CC - COMMUNITY COMMERCIAL
OCCUPANCY: U - UTILITY
SUBSECTION: CITY OF BRANSON, MO

ADJACENT: AT&T OLIVE BLVD
CROSS CORNR, MO 64141

PROPERTY OWNER: CHAMBERLAIN ROBERTS LLC
414 BLACKHILL COURT
KATY, TX 77499
(281) 435-7499

PARCEL NUMBER: 18440-14002001-000200

BUILDING CODE: 2018 INTERNATIONAL BUILDING CODE
ELECTRICAL CODE: 2017 NATIONAL ELECTRICAL CODE
POWER COMPANY: EMPRE ELECTRIC - ADMINISTRATIVE AREA
FIBER COMPANY: CENTURY LINK

ENGINEER'S LICENSE

CERTIFICATION STATEMENT:
I CERTIFY THAT THESE DRAWINGS WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND CONTROL, AND TO THE BEST OF MY KNOWLEDGE AND BELIEF THEY COMPLY WITH THE REQUIREMENTS OF ALL APPLICABLE CODES.



FULLERTON
 1100 E. WASHINGTON ROAD, SUITE 100
 SCHEMATA, MO, 64605-4073
 TEL: 817-608-8400
 www.fullertonengineering.com

NO.	DATE	DESCRIPTION	BY
1	02/24/09	PRELIMINARY	SM
2	03/24/09	FINAL	SM
3	07/24/09	CONTRACT	SM
4	07/24/09	FINAL	SM
5	08/24/09	FINAL LEASE AREA	SM
6	03/24/10	FINAL LEASE AREA	SM
7	03/24/10	CONTRACT FINAL	SM



HUSKER SURVEYING
 4535 Harvard, Ste. #101
 Lincoln, NE 68506
 (402) 423-5292
 www.huskersurveying.com

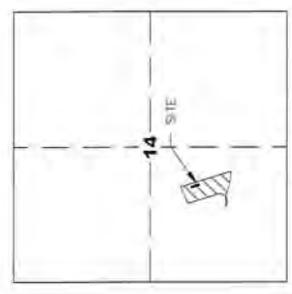
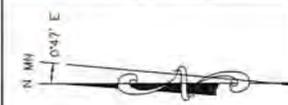
SITE NAME
BRANSON WYNDAM

SITE NUMBER
KS4468

SITE ADDRESS
 1972 State Hwy. 185,
 Branson, MO

SHEET NAME
SITE PLAN

SHEET NUMBER
SS-1



**T. 22 N, R. 22 W
 PARENT PARCEL DETAIL**

PARENT PARCEL DESCRIPTION:
 Tract B, of the Replat of Tract 7, Terrace Parkway, as per the recorded replat thereof, in Plat Book/Slide H, page 119, of Taney County Recorder's Office, Taney County, Missouri.

LEASE AREA DESCRIPTION:
 That part of Tract B, of the Replat of Tract 7, Terrace Parkway, located in the Southwest Quarter of Section 14, Township 22 North, Range 22 West of the 5th P.M., Taney County, Missouri, and being more particularly described as follows:

Referring to the Northwest corner of said Tract 7B, a #4 Rebar with cap found for corner, also being a point on a curve, on the southerly right-of-way line of Champagne Boulevard; thence following the southerly right-of-way line of said Champagne Boulevard, on the following bearings and distances: northeasterly, on a curve to the right, having a radius of 320.00 feet, a central angle of 10°37'41", with a Grid Chord bearing of North 61°33'19" East, a chord distance of 59.27 feet; thence northeasterly, North 69°44'42" East, 148.49 feet; thence departing the southerly right-of-way line of said Champagne Boulevard, on the following: South 15°32'24" West, 15.00 feet; thence northeasterly, North 74°27'35" East, 15.00 feet; thence southeasterly, South 15°32'24" East, 60.00 feet; thence southeasterly, South 74°27'35" West, 15.00 feet; thence northwesterly, North 15°32'24" West, 60.00 feet; to the Point of Beginning.

Containing a total calculated Area of 900 square feet or 0.021 acres, more or less.

ACCESS EASEMENT DESCRIPTION:
 An Access Easement, 20 feet in width, located in that part of Tract B, of the Replat of Tract 7, Terrace Parkway, located in the Southwest Quarter of Section 14, Township 22 North, Range 22 West of the 5th P.M., Taney County, Missouri, and being more particularly described as follows:

Referring to the Northwest corner of said Tract 7B, a #4 Rebar with cap found for corner, also being a point on a curve, on the southerly right-of-way line of Champagne Boulevard; thence following the southerly right-of-way line of said Champagne Boulevard, on the following bearings and distances: northeasterly, on a curve to the right, having a radius of 320.00 feet, a central angle of 10°37'41", with a Grid Chord bearing of North 61°33'19" East, a chord distance of 59.27 feet; thence northeasterly, North 69°44'42" East, 148.49 feet; to the Point of Beginning for the described Access Easement; thence following the perimeter of the easement on the following bearings and distances: northeasterly, North 65°58'42" East, on the southerly right-of-way line of Champagne Boulevard, 20.00 feet; thence departing said right-of-way, southeasterly, South 20°53'05" East, 162.87 feet; thence southeasterly, South 15°32'24" East, 60.78 feet; thence southwesterly, South 74°27'35" West, 20.00 feet, to the Southeast corner of the described Lease Area; thence northwesterly, on the East line of the Lease Area, North 15°32'24" West, 60.00 feet; thence departing the described Lease Area, northwesterly, North 20°53'05" West, 161.04 feet, to the Point of Beginning.

Containing a total calculated area of 4,445 square feet, or 0.102 acres, more or less.

Surveyor's Certificate
 I, Joyme M. Malone, a Professional Registered Land Surveyor under the laws of the State of Kansas, certify the above survey was executed by me, on the date shown. Distances shown are measured in feet and decimals of a foot.

Signed this 13th day of March, 2020.
Joyme M. Malone
 Joyme M. Malone

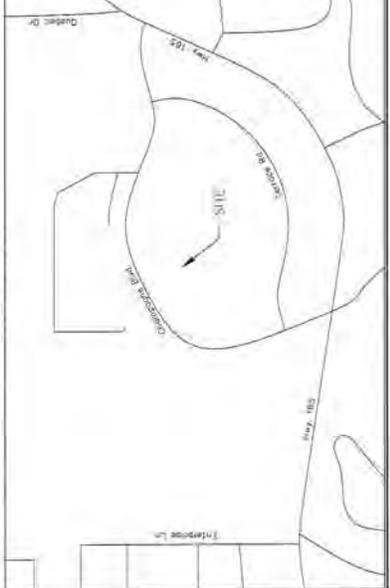


SURVEYORS NOTES

- 1) Generally located in Missouri State Plane Coordinate System, Central Zone (NAD-83).
- 2) Not a survey of the parent parcel shown, but to be used only for the purposes shown herein.
- 3) The Utility locations shown herein were determined by observed above ground evidence only. The surveyor was provided with above ground markings to determine any subsurface locations, and makes no guarantee that the underground utilities in the area, either in service or abandoned. The responsibility for the location of any underground utilities shown here is the exact location indicated. This surveyor has not physically located the underground utilities.

Zoning: CC - Community/Commercial

Flood Information:
 This parcel is in a Zone "X" and is subject to a 100 Year Flood plain area as determined by FEMA Flood Rate Map No. 29213C0265E, effective date 03/15/2012.



VICINITY MAP



1851 MANCHESTER ROAD
ST. LOUIS, MO 63113



5955 Hwy M, Suite 200
St. Charles, MO 63301

FULLERTON

116 S. WASHINGTON ROAD, SUITE 100
ST. CHARLES, MO 63301
TEL: 817-268-8900
www.fullertonengineering.com

NO.	DATE	DESCRIPTION
1	02/23/18	PRELIMINARY
2	07/23/18	AS-BUILT
3	07/23/18	REVISED
4	07/23/18	REVISED
5	07/23/18	REVISED
6	07/23/18	REVISED
7	07/23/18	REVISED
8	07/23/18	REVISED
9	07/23/18	REVISED
10	07/23/18	REVISED
11	07/23/18	REVISED
12	07/23/18	REVISED
13	07/23/18	REVISED
14	07/23/18	REVISED
15	07/23/18	REVISED
16	07/23/18	REVISED
17	07/23/18	REVISED
18	07/23/18	REVISED
19	07/23/18	REVISED
20	07/23/18	REVISED
21	07/23/18	REVISED
22	07/23/18	REVISED
23	07/23/18	REVISED
24	07/23/18	REVISED
25	07/23/18	REVISED
26	07/23/18	REVISED
27	07/23/18	REVISED
28	07/23/18	REVISED
29	07/23/18	REVISED
30	07/23/18	REVISED
31	07/23/18	REVISED
32	07/23/18	REVISED
33	07/23/18	REVISED
34	07/23/18	REVISED
35	07/23/18	REVISED
36	07/23/18	REVISED
37	07/23/18	REVISED
38	07/23/18	REVISED
39	07/23/18	REVISED
40	07/23/18	REVISED
41	07/23/18	REVISED
42	07/23/18	REVISED
43	07/23/18	REVISED
44	07/23/18	REVISED
45	07/23/18	REVISED
46	07/23/18	REVISED
47	07/23/18	REVISED
48	07/23/18	REVISED
49	07/23/18	REVISED
50	07/23/18	REVISED
51	07/23/18	REVISED
52	07/23/18	REVISED
53	07/23/18	REVISED
54	07/23/18	REVISED
55	07/23/18	REVISED
56	07/23/18	REVISED
57	07/23/18	REVISED
58	07/23/18	REVISED
59	07/23/18	REVISED
60	07/23/18	REVISED
61	07/23/18	REVISED
62	07/23/18	REVISED
63	07/23/18	REVISED
64	07/23/18	REVISED
65	07/23/18	REVISED
66	07/23/18	REVISED
67	07/23/18	REVISED
68	07/23/18	REVISED
69	07/23/18	REVISED
70	07/23/18	REVISED
71	07/23/18	REVISED
72	07/23/18	REVISED
73	07/23/18	REVISED
74	07/23/18	REVISED
75	07/23/18	REVISED
76	07/23/18	REVISED
77	07/23/18	REVISED
78	07/23/18	REVISED
79	07/23/18	REVISED
80	07/23/18	REVISED
81	07/23/18	REVISED
82	07/23/18	REVISED
83	07/23/18	REVISED
84	07/23/18	REVISED
85	07/23/18	REVISED
86	07/23/18	REVISED
87	07/23/18	REVISED
88	07/23/18	REVISED
89	07/23/18	REVISED
90	07/23/18	REVISED
91	07/23/18	REVISED
92	07/23/18	REVISED
93	07/23/18	REVISED
94	07/23/18	REVISED
95	07/23/18	REVISED
96	07/23/18	REVISED
97	07/23/18	REVISED
98	07/23/18	REVISED
99	07/23/18	REVISED
100	07/23/18	REVISED



HUSKER SURVEYING
4525 N. W. Highway 24, Ste. #101
Wichita, KS 67206
(316) 263-2522
www.huskersurveying.com

SITE NAME
BRANSON WYNDAM

SITE NUMBER
KS4468

SITE ADDRESS
1972 State Hwy. 165,
Branson, MO.

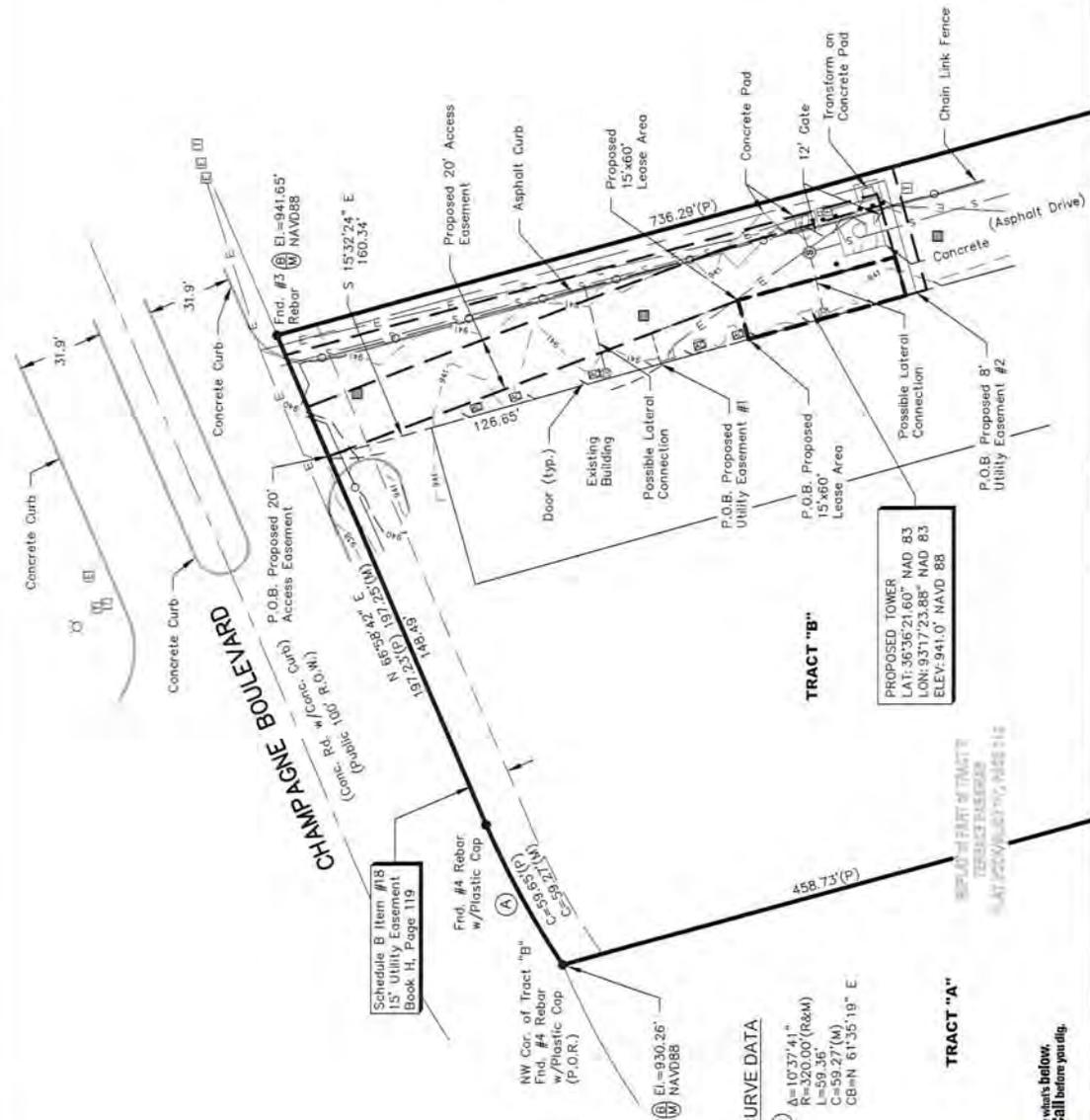
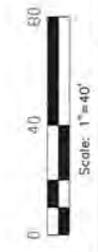
SHEET NAME
SITE PLAN

SHEET NUMBER
SS-2



LEGEND

- = Cor. Fnd
- = Cor. 3c
- = Rebar w/ Cop
- ⊕ = Section Corner
- ⊕ = Benchmark
- (M) = Meas. Dist.
- (P) = Plot Dist.
- (O) = Dead Dist.
- (R) = Record Dist.
- P.O.B. = Point of Beginning
- P.O.R. = Point of Reference
- E- = Chain Link Fence
- S- = Undergrnd Electric Line
- ⊕ = Sanitary Sewer Line
- ⊕ = Clean Out
- ⊕ = Air Conditioning Unit
- ⊕ = Concrete Ballard
- ⊕ = Grate Inlet
- ⊕ = Electrical Pedestal
- ⊕ = Well
- ⊕ = Mailbox
- ⊕ = Sanitary Sewer Manhole
- ⊕ = Telephone Pedestal
- ⊕ = Fire Hydrant



PROPOSED TOWER
LAT: 36°56'21.60" NAD 83
LON: 93°17'23.88" WAD 83
ELEV: 941.0' NAVD 88

CURVE DATA
(A)
A=10°37'41"
R=320.00'(R&M)
L=59.36'
C=59.27'(M)
CB=N 61°35'19" E

TRACT "A"

TRACT "B"

Schedule B Item #18
15' Utility Easement
Book H, Page 119

811
Know what's below.
Call before you dig.



FULLERTON
 1108 E. WOODFIELD ROAD, SUITE 500
 SCHEIDT & BOND, LLP, P.O. BOX 40773
 TEL: 817-336-8400
 www.fulton-engineering.com

REV	DATE	DESCRIPTION
1	08/24/18	ISSUED FOR PERMITS
2	08/24/18	ISSUED FOR PERMITS
3	07/24/18	ISSUED FOR PERMITS
4	07/24/18	ISSUED FOR PERMITS
5	07/24/18	ISSUED FOR PERMITS
6	07/24/18	ISSUED FOR PERMITS
7	07/24/18	ISSUED FOR PERMITS
8	07/24/18	ISSUED FOR PERMITS
9	07/24/18	ISSUED FOR PERMITS
10	07/24/18	ISSUED FOR PERMITS
11	07/24/18	ISSUED FOR PERMITS
12	07/24/18	ISSUED FOR PERMITS
13	07/24/18	ISSUED FOR PERMITS
14	07/24/18	ISSUED FOR PERMITS
15	07/24/18	ISSUED FOR PERMITS
16	07/24/18	ISSUED FOR PERMITS
17	07/24/18	ISSUED FOR PERMITS
18	07/24/18	ISSUED FOR PERMITS
19	07/24/18	ISSUED FOR PERMITS
20	07/24/18	ISSUED FOR PERMITS
21	07/24/18	ISSUED FOR PERMITS
22	07/24/18	ISSUED FOR PERMITS
23	07/24/18	ISSUED FOR PERMITS
24	07/24/18	ISSUED FOR PERMITS
25	07/24/18	ISSUED FOR PERMITS
26	07/24/18	ISSUED FOR PERMITS
27	07/24/18	ISSUED FOR PERMITS
28	07/24/18	ISSUED FOR PERMITS
29	07/24/18	ISSUED FOR PERMITS
30	07/24/18	ISSUED FOR PERMITS
31	07/24/18	ISSUED FOR PERMITS
32	07/24/18	ISSUED FOR PERMITS
33	07/24/18	ISSUED FOR PERMITS
34	07/24/18	ISSUED FOR PERMITS
35	07/24/18	ISSUED FOR PERMITS
36	07/24/18	ISSUED FOR PERMITS
37	07/24/18	ISSUED FOR PERMITS
38	07/24/18	ISSUED FOR PERMITS
39	07/24/18	ISSUED FOR PERMITS
40	07/24/18	ISSUED FOR PERMITS
41	07/24/18	ISSUED FOR PERMITS
42	07/24/18	ISSUED FOR PERMITS
43	07/24/18	ISSUED FOR PERMITS
44	07/24/18	ISSUED FOR PERMITS
45	07/24/18	ISSUED FOR PERMITS
46	07/24/18	ISSUED FOR PERMITS
47	07/24/18	ISSUED FOR PERMITS
48	07/24/18	ISSUED FOR PERMITS
49	07/24/18	ISSUED FOR PERMITS
50	07/24/18	ISSUED FOR PERMITS
51	07/24/18	ISSUED FOR PERMITS
52	07/24/18	ISSUED FOR PERMITS
53	07/24/18	ISSUED FOR PERMITS
54	07/24/18	ISSUED FOR PERMITS
55	07/24/18	ISSUED FOR PERMITS
56	07/24/18	ISSUED FOR PERMITS
57	07/24/18	ISSUED FOR PERMITS
58	07/24/18	ISSUED FOR PERMITS
59	07/24/18	ISSUED FOR PERMITS
60	07/24/18	ISSUED FOR PERMITS
61	07/24/18	ISSUED FOR PERMITS
62	07/24/18	ISSUED FOR PERMITS
63	07/24/18	ISSUED FOR PERMITS
64	07/24/18	ISSUED FOR PERMITS
65	07/24/18	ISSUED FOR PERMITS
66	07/24/18	ISSUED FOR PERMITS
67	07/24/18	ISSUED FOR PERMITS
68	07/24/18	ISSUED FOR PERMITS
69	07/24/18	ISSUED FOR PERMITS
70	07/24/18	ISSUED FOR PERMITS
71	07/24/18	ISSUED FOR PERMITS
72	07/24/18	ISSUED FOR PERMITS
73	07/24/18	ISSUED FOR PERMITS
74	07/24/18	ISSUED FOR PERMITS
75	07/24/18	ISSUED FOR PERMITS
76	07/24/18	ISSUED FOR PERMITS
77	07/24/18	ISSUED FOR PERMITS
78	07/24/18	ISSUED FOR PERMITS
79	07/24/18	ISSUED FOR PERMITS
80	07/24/18	ISSUED FOR PERMITS
81	07/24/18	ISSUED FOR PERMITS
82	07/24/18	ISSUED FOR PERMITS
83	07/24/18	ISSUED FOR PERMITS
84	07/24/18	ISSUED FOR PERMITS
85	07/24/18	ISSUED FOR PERMITS
86	07/24/18	ISSUED FOR PERMITS
87	07/24/18	ISSUED FOR PERMITS
88	07/24/18	ISSUED FOR PERMITS
89	07/24/18	ISSUED FOR PERMITS
90	07/24/18	ISSUED FOR PERMITS
91	07/24/18	ISSUED FOR PERMITS
92	07/24/18	ISSUED FOR PERMITS
93	07/24/18	ISSUED FOR PERMITS
94	07/24/18	ISSUED FOR PERMITS
95	07/24/18	ISSUED FOR PERMITS
96	07/24/18	ISSUED FOR PERMITS
97	07/24/18	ISSUED FOR PERMITS
98	07/24/18	ISSUED FOR PERMITS
99	07/24/18	ISSUED FOR PERMITS
100	07/24/18	ISSUED FOR PERMITS



HUSKER SURVEYING
 4525 Grandview, Ste. #101
 Lincoln, NE 68508
 (402) 433-5522
 www.huskersurveying.com

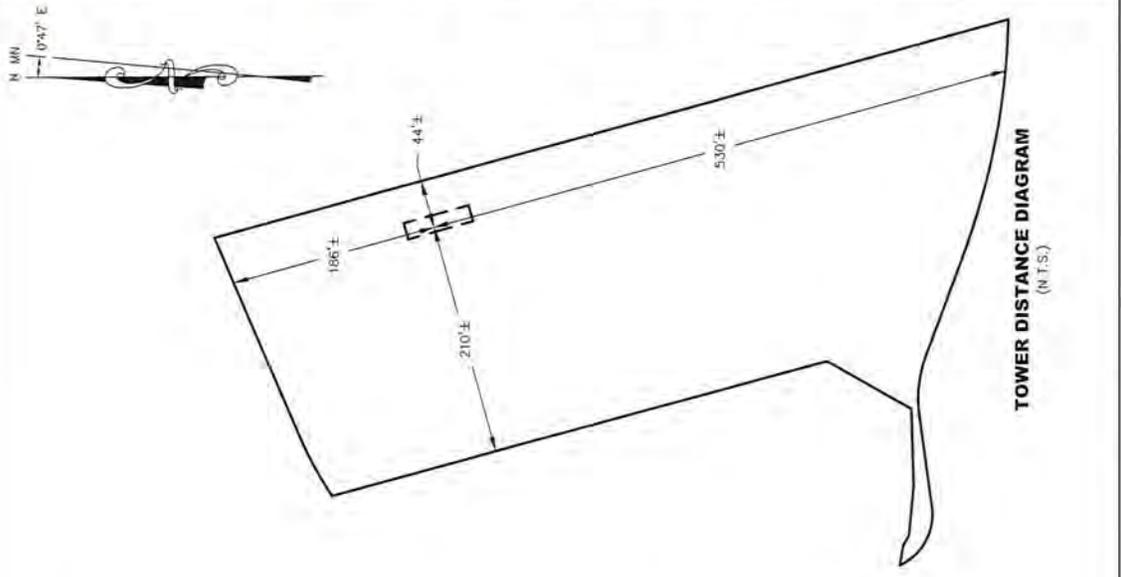
BRANSON WYNDAM

KS44468

1972 State Hwy. 165,
 Branson, MO

SITE PLAN

SS-4



UTILITY EASEMENT #1 DESCRIPTION:
 A Utility Easement located in that part of Tract B, of the Replat of Tract 7, Terrace Parkway, located in the Southwest Quarter of Section 14, Township 22 North, Range 22 West of the 5th P.M., Taney County, Missouri, and being more particularly described as follows:
 Referring to the Northwest corner of said Tract "B", a #4 Rebar with cap found for corner, also being a point on a curve, on the southerly right-of-way line of Champagne Boulevard, thence following the southerly right-of-way line of said Champagne Boulevard, on the following bearings and distances: northwesterly, on a curve to the right, having a radius of 320.00 feet, a central angle of 10°37'41", with a Grid chord bearing of North 51°35'19" East, a chord distance of 58.27 feet, thence northwesterly, North 66°58'42" East, 148.49 feet, thence following the southerly right-of-way line of said Champagne Boulevard, southeasterly, South 15°32'24" East, 126.65 feet, to the Point of Beginning for the described Utility Easement #1; thence following the perimeter of the easement on the following bearings and distances: northwesterly, North 74°27'36" East, 11.85 feet, thence southeasterly, South 20°53'05" East, 33.34 feet, to the Northeast corner of the described Lease Area; thence southeasterly, South 74°27'36" East, 11.85 feet, to the North line of the Lease Area, 15.00 feet, thence departing said North line, northwesterly, North 15°32'24" West, 33.69 feet, to the Point of Beginning.

Containing a total calculated area of 452 square feet, or 0.010 acres, more or less.

UTILITY EASEMENT #2 DESCRIPTION:
 A Utility Easement located in that part of Tract B, of the Replat of Tract 7, Terrace Parkway, located in the Southwest Quarter of Section 14, Township 22 North, Range 22 West of the 5th P.M., Taney County, Missouri, and being more particularly described as follows:
 Referring to the Northwest corner of said Tract "B", a #4 Rebar with cap found for corner, also being a point on a curve, on the southerly right-of-way line of Champagne Boulevard, thence following the southerly right-of-way line of said Champagne Boulevard, on the following bearings and distances: northwesterly, on a curve to the right, having a radius of 350.00 feet, a central angle of 10°37'41", with a Grid chord bearing of North 51°35'19" East, a chord distance of 64.99 feet, thence northwesterly, North 66°58'42" East, 148.49 feet, thence following the southerly right-of-way line of said Champagne Boulevard, southeasterly, South 15°32'24" East, 130.34 feet, to the Northeast corner of the described Lease Area; thence southeasterly, South 20°53'05" East, 33.34 feet, to the Northeast corner of the described Lease Area, 15.00 feet, to the Point of Beginning for the described Utility Easement #2; thence following the perimeter of the easement on the following bearings and distances: northwesterly, North 74°27'36" East, 43.52 feet, thence northwesterly, North 15°19'35" West, 230.17 feet, to a point of intersection on the southerly right-of-way line of Champagne Boulevard, also being the Point of Termination for the centerline of the described Utility Easement #2.

Containing a total calculated Area of 2,181 square feet or 0.050 acres, more or less.

Parallel lines described from the centerline of the easement, are intended to lengthen or shorten to intersect the lines described.

- TITLE REPORT:**
 Based on Report of Title provided by U.S. Title Solutions, File No. 63485-MO1906-5039, with an effective date of June 19, 2019, the following are of survey matters:
- Road Deed by Walter C. McCaense to State of Missouri, dated 3/11/1930 recorded 3/15/1930 in book 82 page 149. Notes: Supplemental road. Does not affect proposed Lease Area, Access Easement or Utility Easements and is not shown hereon.
 - Road Deed by Walter C. McCaense to State of Missouri, dated 3/15/1930 recorded 3/15/1930 in book 82 page 148. Notes: Road. Does not affect proposed Lease Area, Access Easement or Utility Easements and is not shown hereon.
 - Road Deed by Walter C. McCaense to State of Missouri, dated 3/17/1930 recorded 3/25/1930 in book 82 page 150. Notes: Supplemental road. Does not affect proposed Lease Area, Access Easement or Utility Easements and is not shown hereon.
 - Road Deed by Walter C. McCaense to County of Taney, State of Missouri, dated 6/6/1930 recorded 5/12/1930 in book 82 page 175. Notes: State highway. Does not affect proposed Lease Area, Access Easement or Utility Easements and is not shown hereon.
 - Road Deed by Walter C. McCaense to County of Taney in the state of Missouri, dated 11/10/1952 recorded 11/20/1952 in book 127 page 75. Notes: Access road. Affects Parent Parcel as current road right-of-way. Does not affect proposed Lease Area, Access Easement or Utility Easements and is not shown hereon.
 - Terrace Parkway dated 4/21/1960 recorded 4/28/1960 in book 26 page 82. Affects Parent Parcel but cannot be plotted, because it is a blanket in nature 302. Notes: Road. Does not affect proposed Lease Area, Access Easement or Utility Easements and is not shown hereon.
 - Easement by Table Rock Terrace, Inc. to The Empire District Electric Company, dated 10/10/1964 recorded 11/17/1965 in book 271 page 740. Notes: Electric and communication facilities. Affects Parent Parcel but cannot be plotted, because it is a blanket in nature.
 - Easement by Table Rock Terrace, Inc. to Tri-States Utility Co., Inc. dated 8/1/1965 recorded 8/5/1965 in book 274 page 1088. Notes: Water system. Affects Parent Parcel but cannot be plotted, because it is a blanket in nature.
 - Easement by Table Rock Terrace, Inc. to City of Branson, State of Missouri, dated 11/20/1983 recorded 01/14/1994 in book 326 page 9988. Notes: Utility lines. Does not affect proposed Lease Area, Access Easement or Utility Easements and is not shown hereon.
 - Memorandum of Partnership Agreement between Table Rock Terrace, Inc., a Missouri corporation and The Weak Group Missouri, Inc., a Missouri corporation and Terrace Parkway Associates dated 9/7/1993 recorded 10/4/1993 in book 322 page 172. Affects Parent Parcel but cannot be plotted, because it is a blanket in nature.
 - A Replat of Part of Tract 7 Terrace Parkway dated 7/27/2004 recorded 8/25/2004 in book H page 119. Affects proposed Access Easement and Utility Easement #2 and is shown hereon. Does not affect proposed Lease Area or Utility Easement #2.



1780 DAVIS RD
CHRY COBLA, MO 63141



5055 Hwy N, Suite 200
St. Charles, MO 63044

160 E. WOODFIELD ROAD, SUITE 500
ST. CHARLES, MO, 63043-6173
COMMERCIAL
COMMERCIAL
www.fullertonengineering.com

#	DATE	DESCRIPTION	BY
A	11/23/20	PRELIMINARY	TC
B	12/10/20	REVISED	TC
C	4/17/23	PRELIM. EXAMINED	TC

SITE NAME
BRANSON WYNDAM

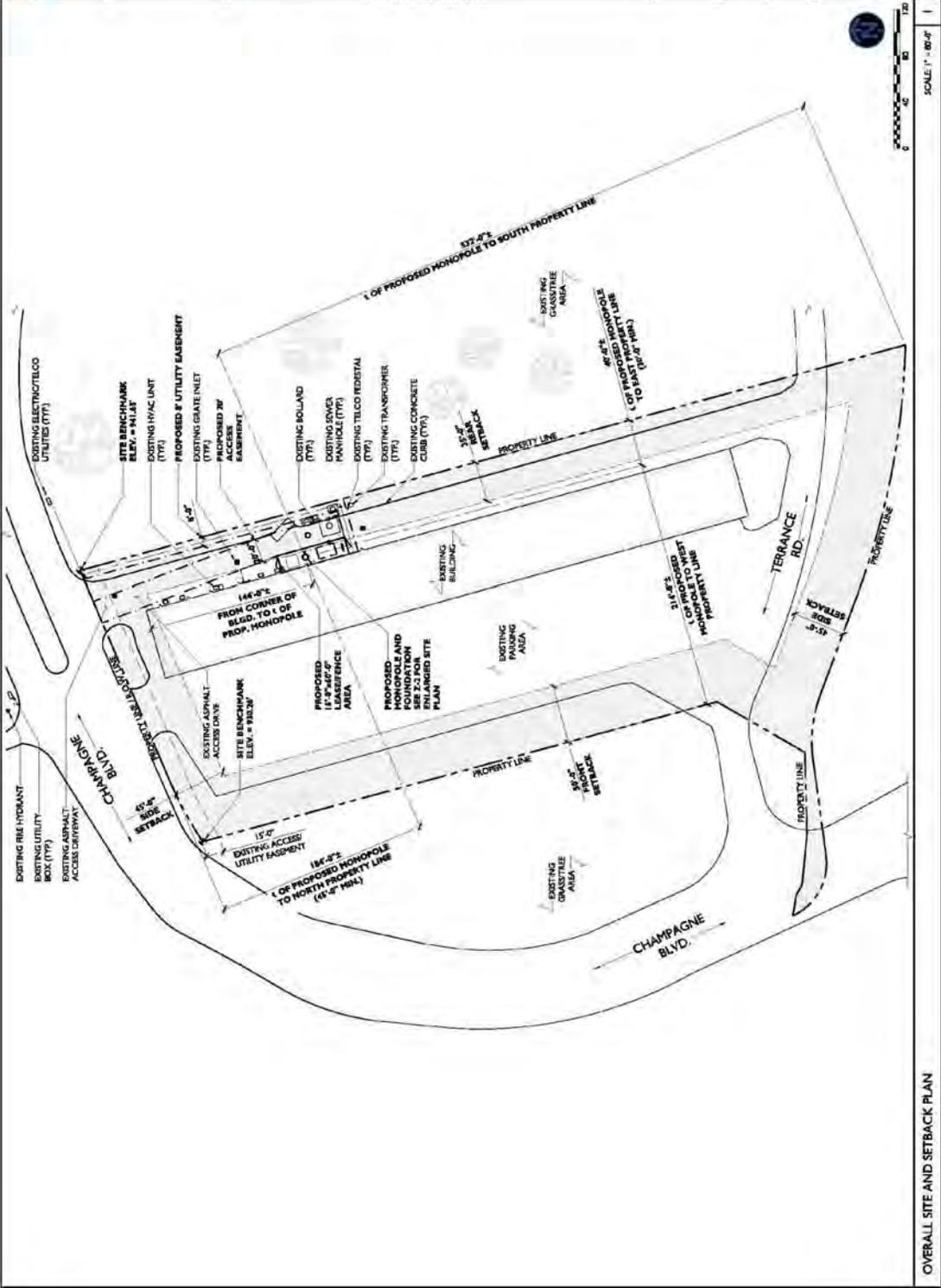
SITE NO.
KS4468

SITE ADDRESS
172 STATE HIGHWAY 166
BRANSON, MO 64614

SHEET NAME
OVERALL SITE AND SETBACK PLAN

SHEET NUMBER
Z-1

PROJECT# 2019.0163.0025



SCALE 1" = 30'-0"

OVERALL SITE AND SETBACK PLAN



1705 CLAW RD
CHRY COBLA, MD 21114



5055 Hwy N, Suite 200
St. Charles, MD 21304

FULLERTON
CONSULTING ENGINEERS

1100 E. WOODFIELD ROAD, SUITE 200
SCHEMATA, MD 21151
TEL: 410-326-8675
COMM: 410-326-8674
www.FullertonEngineering.com

#	DATE	DESCRIPTION	BY
A	1/15/20	PRELIM ZONING	EC
B	3/1/20	PRELIM ZONING	EC
C	4/17/20	PUBLIC ZONING	EC

SITE NAME
**BRANSON
WYNDAM**

SITE NO.
K34468

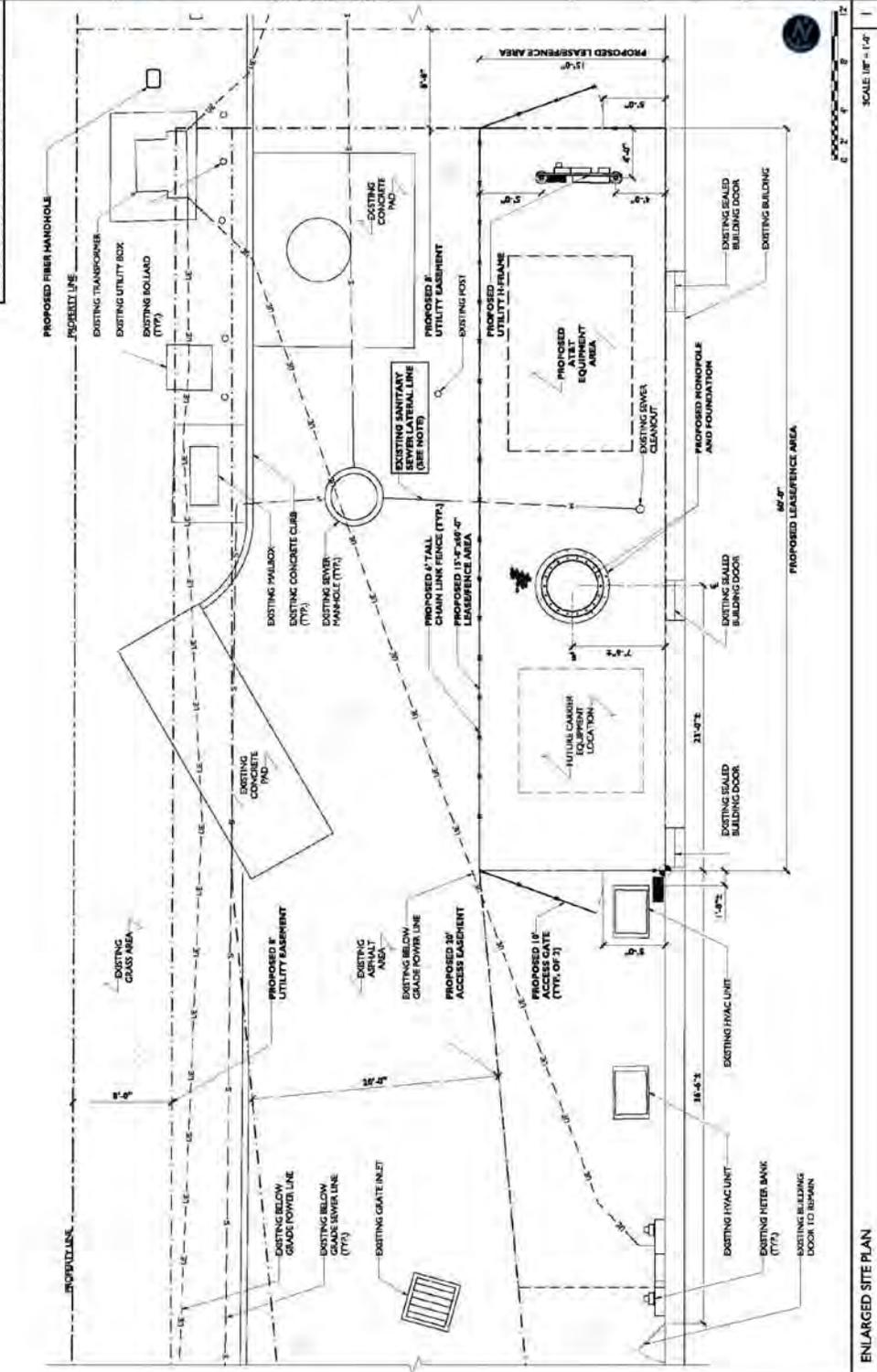
SITE ADDRESS
1772 STATE HIGHWAY 165
BRANSON, MO 65616

SHEET NAME
**ENLARGED SITE
PLAN**

SHEET NUMBER
Z-2

PROJECT: 2019.01.03.0035

NOTE:
EXACT LOCATION OF EXISTING SANITARY SEWER LATERAL
AND SEWER MAINS SHALL BE DETERMINED BY THE
CONTRACTOR WITH CONSTRUCTION. THE CONTRACTOR
SHALL CUT AND CAP LINE AS CLOSE AS POSSIBLE TO
EXISTING CLEANOUT AND OUTSIDE OF LEASE AREA. REMOVE
INTERMEDIATE PIPE SECTION, BACKFILL WITH SAND, AND
INSTALL STANDARD PROCTOR GRADE. OTHERWISE SANITARY
SEWER LATERAL LINE SHALL REPAIR IN PLACE.



ENLARGED SITE PLAN



1200 MAIN ST. 303
CHINA CREEK, NC 28134



205 Hwy N, Suite 200
St. Charles, MO 63043

FULLERTON

ENGINEERING & DESIGN
11802 WOODFIELD ROAD, SUITE 500
SCARSDALE, NY 11783
TEL: 817-798-9000
WWW.FULLERTONENGINEERING.COM

#	DATE	DESCRIPTION	BY
A	12/20/20	PRELIM. ZONING	AW
B	01/17/21	PRELIM. ZONING	AW
C	01/17/21	PRELIM. ZONING	AW

SITE NAME
BRANSON WYNDAM

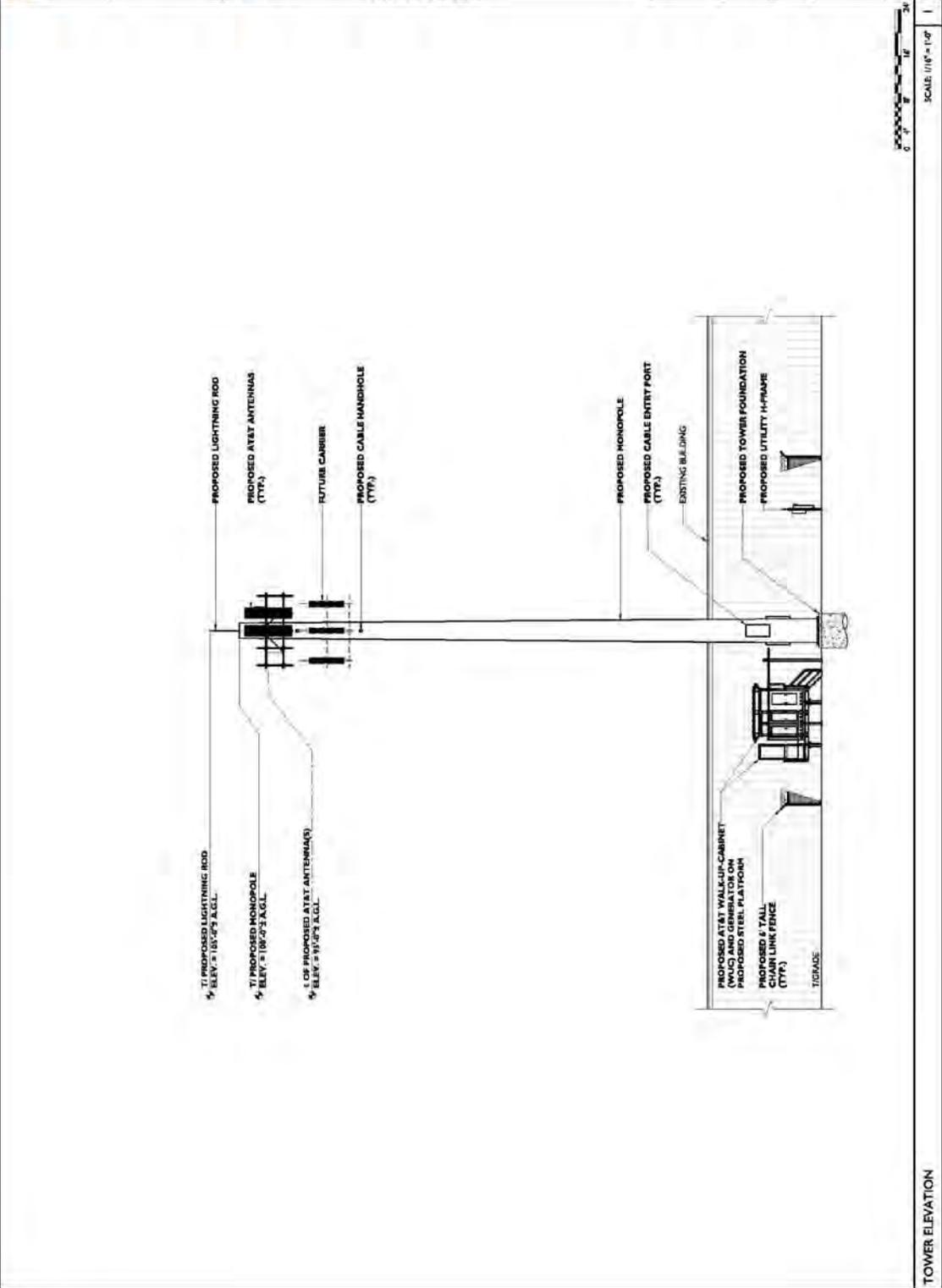
SITE NO.
KS4468

SITE ADDRESS
1972 STATE HIGHWAY 165
BRANSON, MO 64616

SHEET NAME
TOWER ELEVATION

SHEET NUMBER
Z-3

PROJECT # 2019-0151.0025



TOWER ELEVATION

ATTACHMENT 2: VICINITY MAPS - AERIAL



Legend

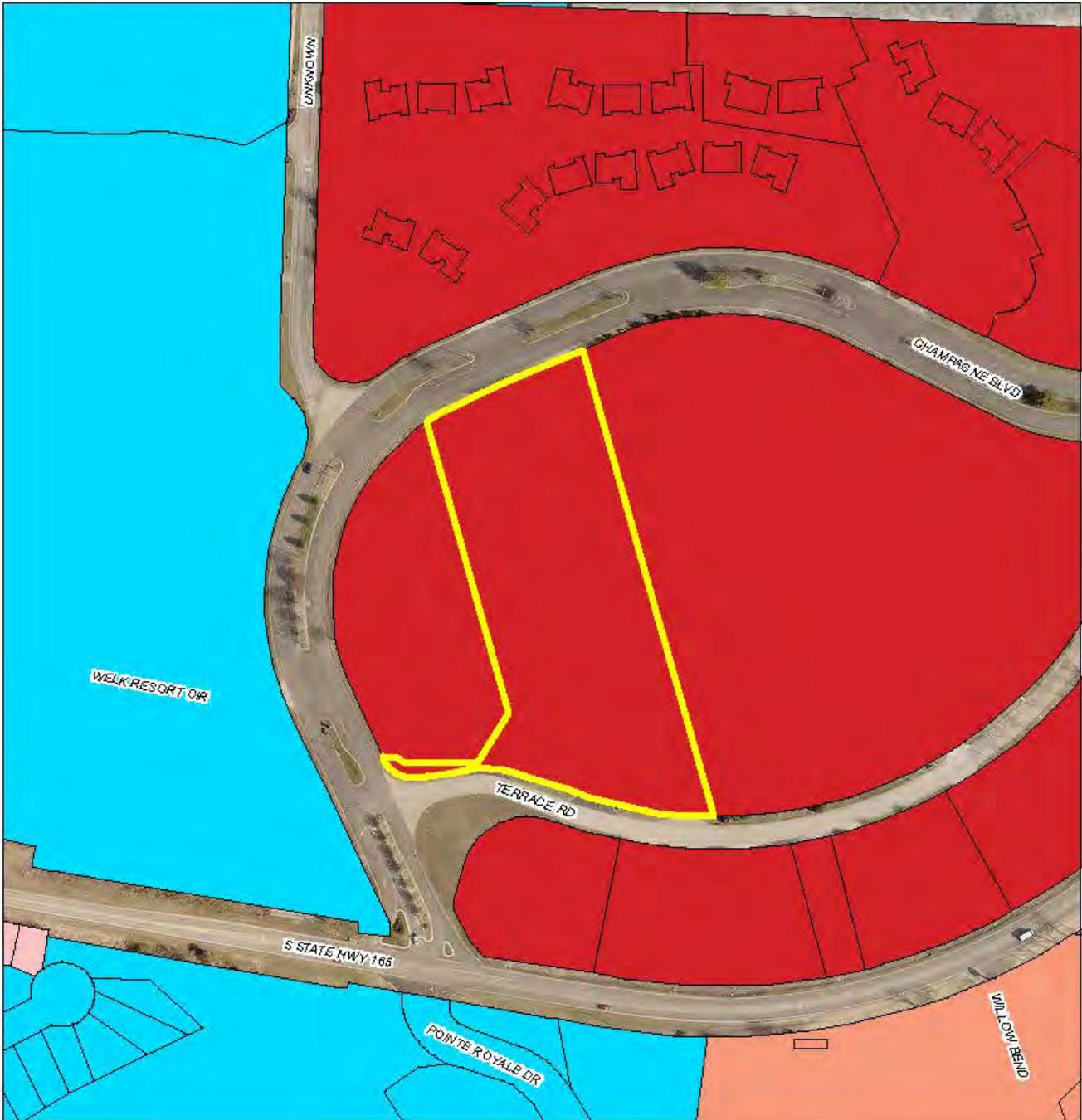
- Sanitary Sewer Manholes
- Liftstation
- Sewer Gravity Mains
- Sewer Pressurized Mains
- Water Hydrants
- ▲ Water System Valves
- Water Mains
- STORM INLET STRUCTURES
- ▼ STORM INTAKE STRUCTURES
- STORM OUTFALL STRUCTURES
- STORM_SEWER_PIPE
- DISTRIBUTION
- TRANSMISSION

N

1 inch = 200 feet
 City of Branson
 Planning & Development
 Date: 5/1/2020

1972 State Hwy 165

VICINITY MAPS - CURRENT ZONING

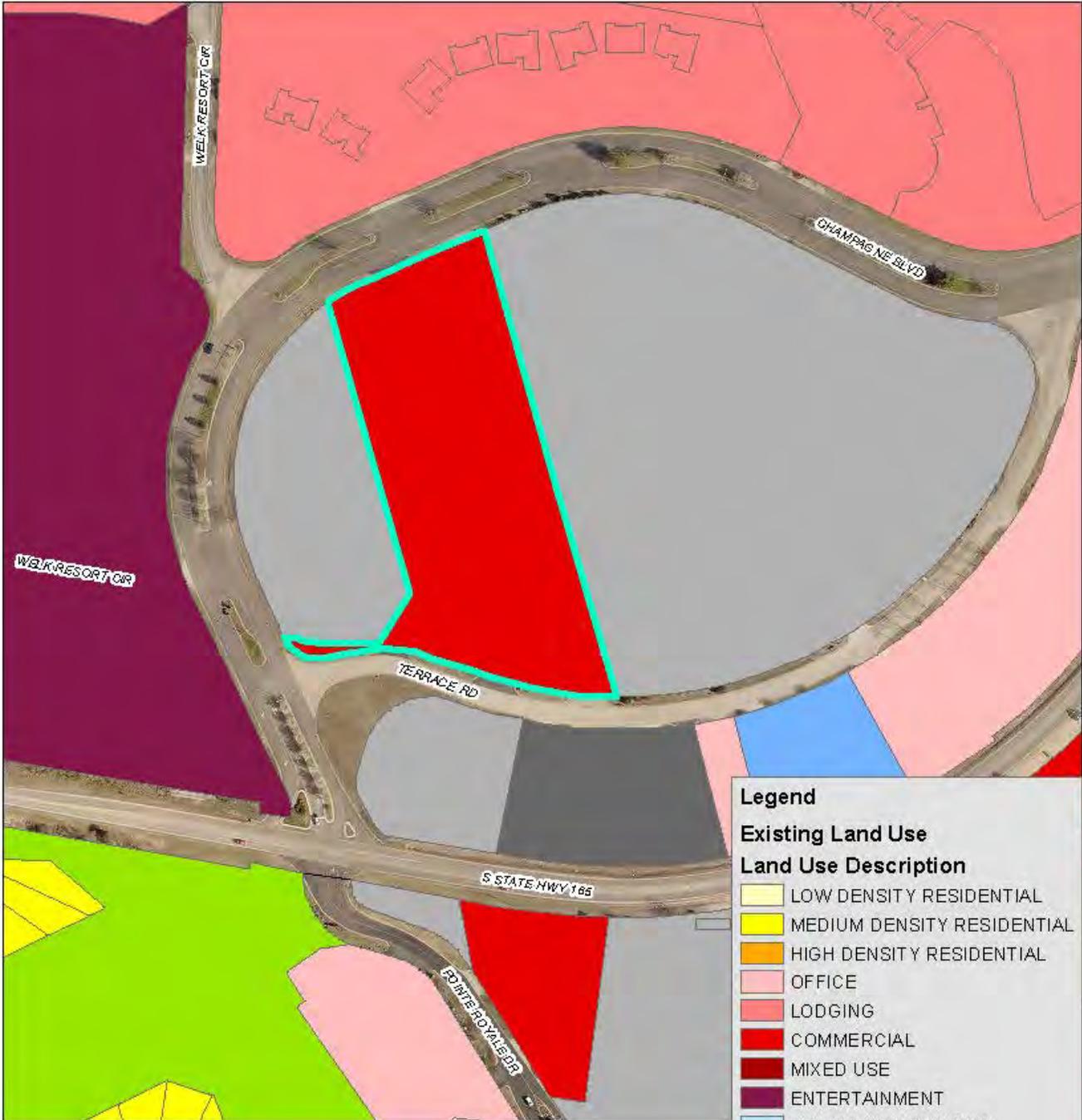


1972 State Hwy 165


1 inch = 200 feet
 City of Branson
 Planning & Development
 Date: 5/1/2020

 Agricultural	 Neighborhood Commercial	 Business
 Conservation	 Mixed-Use	 Industrial
 Low Density Residential	 Community Commercial	 Planned Development
 Medium Density Residential	 Downtown	 Unzoned
 High Density Residential	 Entertainment	

VICINITY MAPS - CURRENT LAND USE



Legend

Existing Land Use

Land Use Description

[Light Yellow Box]	LOW DENSITY RESIDENTIAL
[Yellow Box]	MEDIUM DENSITY RESIDENTIAL
[Orange Box]	HIGH DENSITY RESIDENTIAL
[Light Pink Box]	OFFICE
[Pink Box]	LODGING
[Red Box]	COMMERCIAL
[Dark Red Box]	MIXED USE
[Purple Box]	ENTERTAINMENT
[Light Blue Box]	RELIGIOUS ASSEMBLY
[Blue Box]	HEALTH CARE
[Dark Blue Box]	INSTITUTIONAL
[Dark Purple Box]	INDUSTRIAL
[Light Green Box]	RECREATION
[Green Box]	OPEN SPACE
[Light Green Box]	AGRICULTURAL
[Grey Box]	UTILITIES
[Light Grey Box]	VACANT
[White Box]	TANEY COUNTY

N

 1 inch = 200 feet
 City of Branson
 Planning & Development
 Date: 5/1/2020

1972 State Hwy 165

VICINITY MAPS - ORTHOMETRIC IMAGES



VIEW FROM THE NORTH



VIEW FROM THE EAST

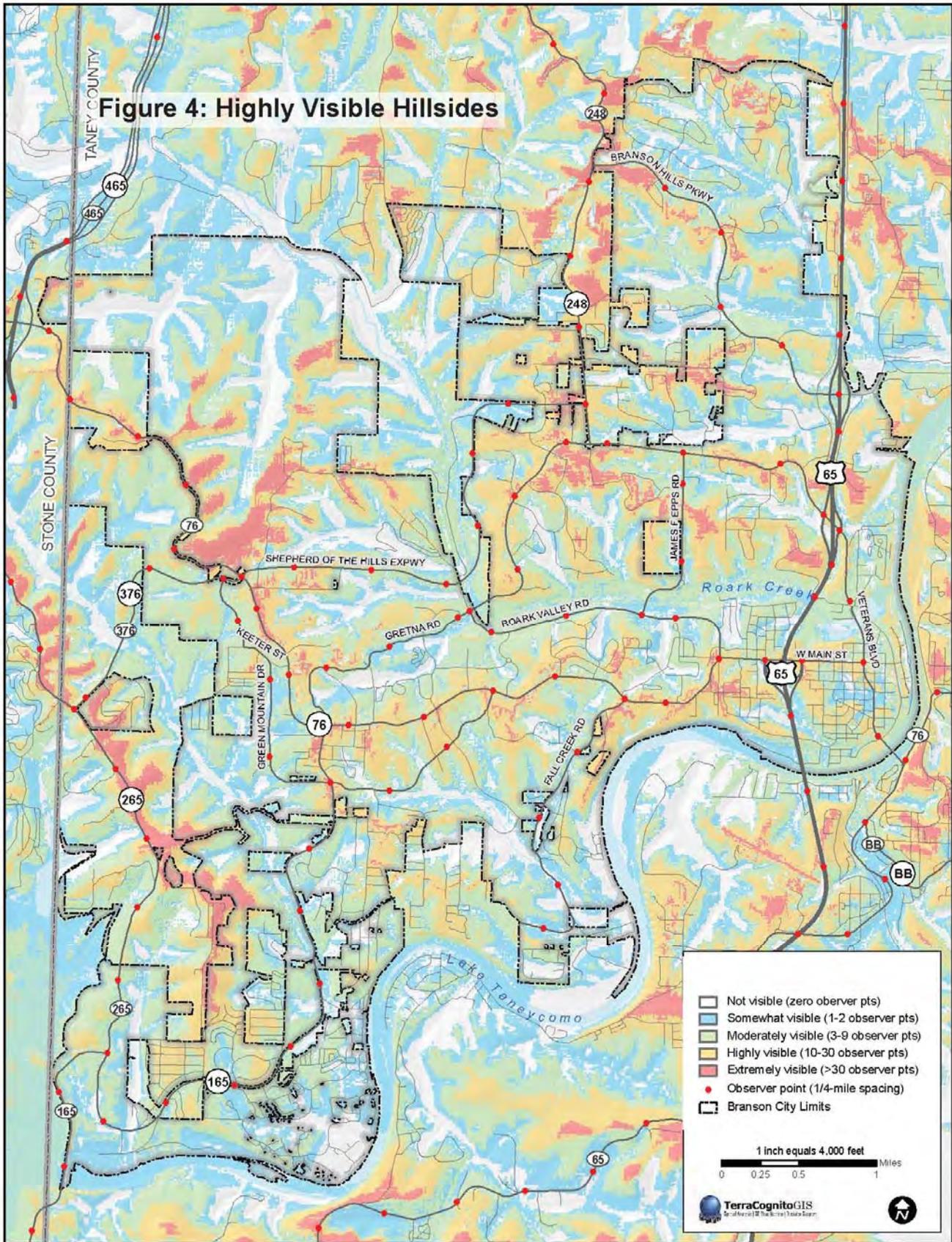


VIEW FROM THE SOUTH



VIEW FROM THE WEST

Figure 4: Highly Visible Hillside



Not visible (zero observer pts)
 Somewhat visible (1-2 observer pts)
 Moderately visible (3-9 observer pts)
 Highly visible (10-30 observer pts)
 Extremely visible (>30 observer pts)
 Observer point (1/4-mile spacing)
 Branson City Limits

1 inch equals 4,000 feet

0 0.25 0.5 1 Miles

TerraCognitoGIS
 An ArcGIS Online Solution Provider

PLANNING COMMISSION

RESOLUTION NO. SU20-4 (20-000004)

A PLANNING COMMISSION RESOLUTION AUTHORIZING THE PLANNING AND DEVELOPMENT DIRECTOR TO ISSUE A SPECIAL USE PERMIT TO ALLOW A TELECOMMUNICATIONS TOWER WITHIN THE PROPERTY LOCATED AT 1972 STATE HIGHWAY 165, BRANSON, MISSOURI.

WHEREAS, a Special Use Application has been submitted to the City of Branson by Paul Wrablica on behalf of Telecom Realty Consultants, LLC, to allow a telecommunications tower within the property legally described as follows:

TRACT B, OF THE REPLAT OF TRACT 7, OF TERRACE PARKWAY, AS PER THE RECORDED REPLAT THEREOF, IN PLAT BOOK/SLIDE H, PAGE 119, OF TANEY COUNTY RECORDER'S OFFICE, TANEY COUNTY, MISSOURI.

WHEREAS, the Zoning Regulations for the City of Branson, Missouri, require a Public Hearing before the Planning Commission for the approval of a Special Use Permit; and,

WHEREAS, a Public Hearing was held before the Planning Commission on July 7, 2020, at 7:00 PM in the Council Chambers located at 110 W. Maddux Street, Branson, Missouri; and,

WHEREAS, all required documentation and payment of the required fees have been received by the City of Branson.

BE IT THEREFORE RESOLVED, that the Planning Commission for the City of Branson hereby authorizes the Planning and Development Director to issue a Special Use Permit to allow a telecommunications tower within the property located at 1972 State Highway 165, Branson, Missouri, based on the following conditions:

1. The design, installation, and operation of the telecommunications tower and facilities shall be in accordance with all applicable city, state, and federal requirements; and,
2. The telecommunications tower and facilities shall generally conform with the submitted site plan, Exhibit A, and shall conform to all Codes and Ordinance of the City; and,
3. The facilities shall be appropriately screened with landscaping as required in Branson Municipal Code Chapter 94; and,
4. Documentation showing the issuance of the Federal Communications Commission's Antenna Structure Registration shall be provided to the Planning and Development Department prior to the erection of the tower; and,
5. If conditions 1 through 4 of this Resolution authorizing the issuance of this Special Use Permit are not acted upon on or before July 7, 2021, this Special Use Permit shall be null and void; and,
6. If use of the telecommunications tower ceases, the applicant shall remove the tower within 180 days. Failure to remove the abandoned tower shall be grounds for the City to cause removal at the expense of the property owner.

DONE THIS 7TH DAY OF JULY, 2020, BY THE PLANNING COMMISSION FOR THE CITY OF BRANSON, MISSOURI.

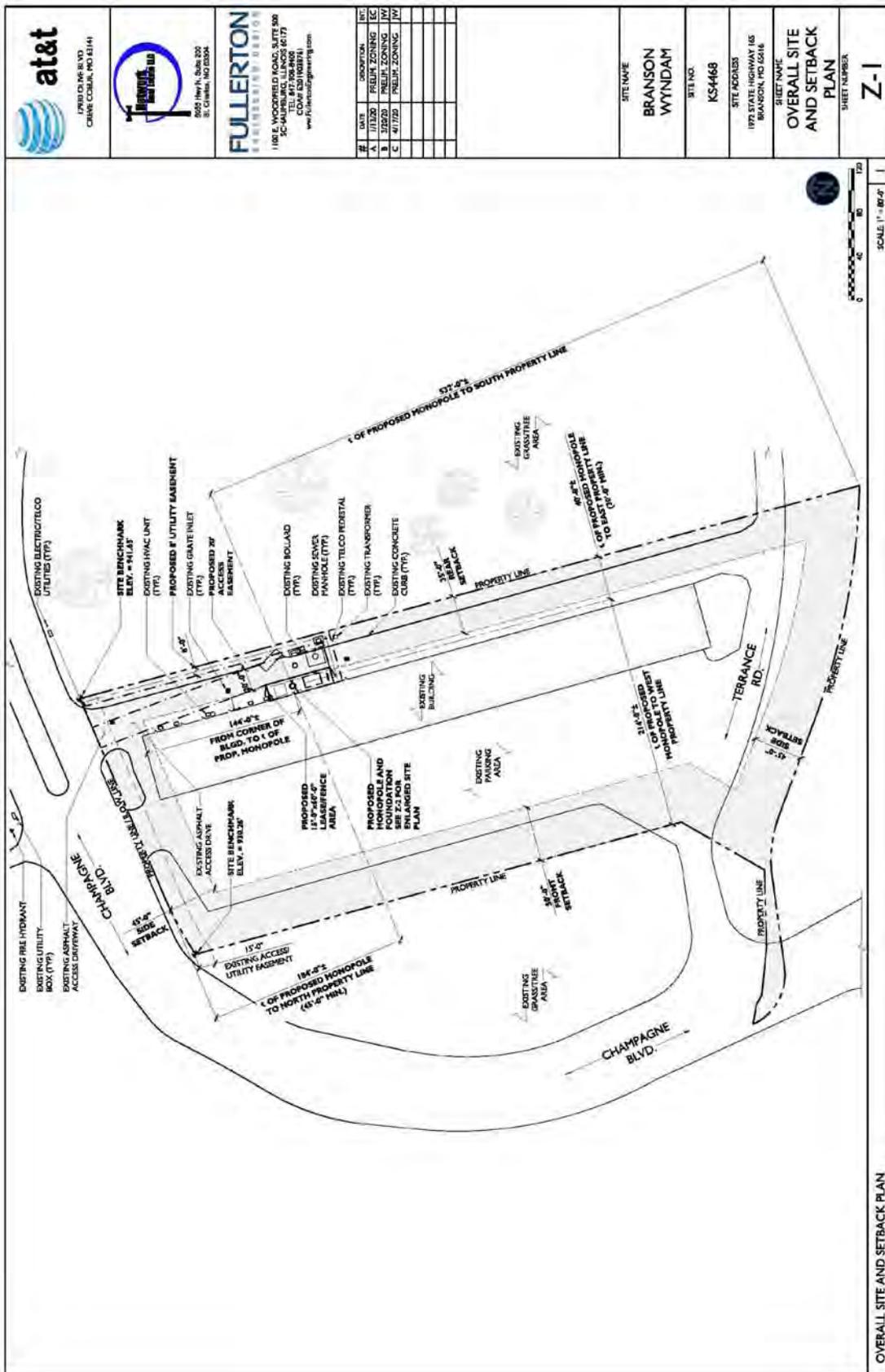
Clark Harris - Chairperson

ATTEST:

Joel Hornickel – Planning and Development Director

\

EXHIBIT A



17880 CHAMPEL RD
CHAMPEL, MO 63141



2005 New P. Suite 200
St. Charles, MO 63004

FULLERTON

180 E. WOODFIELD ROAD, SUITE 300
ST. CHARLES, MO 63043
SC-16435, TEL: 636.937.6177
FAX: 636.937.6178
CDAY: 636.937.6179
www.fullertonengineering.com

#	DATE	DESCRIPTION	BY
A	1/1/20	PRELIM ZONING	EC
B	1/1/20	PRELIM ZONING	WJ
C	4/1/20	PRELIM ZONING	WJ

SITE NAME
**BRANSON
WYNDAM**

SITE NO.
KS-4468

SITE ADDRESS
1175 STATE HIGHWAY 165
BRANSON, MO 65616

SHEET NAME
**OVERALL SITE
AND SETBACK
PLAN**

SHEET NUMBER
Z-1

PROJECT# 2019.0163.0025

SCALE 1" = 80'

OVERALL SITE AND SETBACK PLAN

**Branson Planning and Zoning Commission
Staff Report and Recommendation
Project No. 20-12.1 (20-2000001)**

OWNER/APPLICANT: CITY OF BRANSON

ITEM/SUBJECT: REQUEST FOR MUNICIPAL CODE AMENDMENTS TO CHAPTER 94 - ZONING.

DATE: JULY 7, 2020 (ORIGINALLY SCHEDULED FOR JUNE 2, 2020)

INITIATING DEPARTMENT: PLANNING & DEVELOPMENT

APPROVED BY:



Director of Planning & Development

JUNE 29, 2020

Date

STAFF REPORT:

A Municipal Code Amendment has been initiated by the Planning and Development Department for modifications to Chapter 94 - Zoning, Articles I, II, III, IV, VI, and VII. Specifically, the proposed amendments are mostly inconsistencies and issues which have been identified by staff after working with the Code over the past few years.

In response to the Community Plan 2030 adopted in March 2012 (Res. No. 2012-R007), the first significant update to Chapter 94 was approved in December 2016 (Ord. No. 2016-0193). It was then followed up with the incorporation of the subdivision and landscaping regulations in April 2018 (Ord. No. 2018-0030) and the sign regulations in September 2019 (Ord. No. 2019-0131). Additional modifications have been approved during the same time frame in response to various reasons.

This request includes the following amendments:

- Article I – remove a duplicate terms, *local street* and *sight distance triangle*
- Article II – update of application requirements for *subdivision plats* due to the City's use of an online Portal, Citizenserve
- Article III – reduce *minimum lot size* for detached residential structures within the MDR district so as to be in better alignment with LDR and HDR standards
- Article IV – update *permitted uses table* and *use and structure standards* to allow *manufactured homes* as a permitted use in the A, LDR and MDR to be consistent
- Article IV – update *outdoor sale/promotional event* standards to be more clear and match intent
- Article VI – remove *exceptions and adjustments* section as not needed with a maximum parking approach
- Article VI – remove a *staking lane* requirement to be more consistent
- Article VII – rename *site perimeter landscaping* to *buffering* to be more clear on requirement
- Article VII – update terminology when *sight triangle* requirements are needed to be consistent
- Article VII – remove *Tree Board* reference
- Article VII – add regulations for *fences* within residential lots

STAFF RECOMMENDATION:

Staff recommends approval of Resolution 20-12.1.

MUNICIPAL CODE REGULATIONS:

The following regulations should be considered by the Planning Commission in formulating a decision:

Branson Municipal Code Section 94-150. - City planning commission.

- (d) *Planning commission, powers and duties. The planning commission shall be guided by, and set under the applicable laws of the state. The commission shall report on any and all proposed changes in the zoning code when adopted; shall review all proposed subdivisions of land; and may recommend plans and physical improvement programs for the city to the board.*

COMMENTS:

No additional comments were provided by any other departments regarding the applicant's request.

ATTACHED INFORMATION: NA

PLANNING COMMISSION

RESOLUTION NO. 20-12.1 (20-1200001)

A PLANNING COMMISSION RESOLUTION RECOMMENDING APPROVAL OF MUNICIPAL CODE AMENDMENTS TO CHAPTER 94 - ZONING.

WHEREAS, certain areas of the Branson Municipal Code are in need of amendment; and,

WHEREAS, it is the desire of the Planning Commission for the City of Branson to have zoning regulations in the Branson Municipal Code that are clear and concise for understanding and interpretation; and,

WHEREAS, it is the desire of the Planning Commission for the City of Branson to insure that the Unified Development Code is current and user friendly; and,

WHEREAS, the Planning Commission for the City of Branson has determined that amendments to the Branson Municipal Code are reasonable and necessary; and,

WHEREAS, the Zoning Regulations for the City of Branson, Missouri, require a Public Hearing before the Planning Commission for amendments to the Unified Development Code; and,

WHEREAS, a Public Hearing was held before the Branson Planning Commission on July 7, 2020, at 7:00 PM, in the City Council Chambers located at 110 W. Maddux Street, Branson, Missouri.

BE IT THEREFORE RESOLVED, that the Planning Commission for the City of Branson hereby recommends approval of Municipal Code Amendments to Chapter 94 - Zoning as described on Exhibit 'A', attached hereto and incorporated by reference herein.

DONE THIS 7TH DAY OF JULY, 2020, BY THE PLANNING COMMISSION FOR THE CITY OF BRANSON, MISSOURI.

Clark Harris - Chairman

ATTEST:

Joel Hornickel – Planning and Development Director

51 EXHIBIT 'A'

52 CHAPTER 94 – ZONING

53
54 ARTICLE I. - IN GENERAL

55
56 Sec. 94-5. - Definitions.

57
58 [~~Sight distance triangle means an area free of all obstructions that could interfere with the visibility~~
59 ~~of drivers approaching an intersection between an entrance or drive and a street. The area is a triangular-~~
60 ~~shaped piece of land, measuring 15 feet in distance along the street and 15 feet in distance along the~~
61 ~~entrance or drive, both distances being measured from and along the back of the curb.]~~

62 [~~Street, local means a street designed to provide access to abutting properties from collector and~~
63 ~~arterial streets.]~~

64 *Street, local* means a street designed to provide access to abutting properties from collector and
65 arterial streets.

66
67 ARTICLE II. - RULES AND REGULATIONS

68
69 Sec. 94-8. - Subdivisions.

70 (a) *Generally applicable requirements.*

71 (b) *Classification of subdivision processes.*

72 (c) *Minor subdivision review.*

73 (1) *Application submission.*

74 a. The applicant shall be required to submit an application for a minor subdivision on forms
75 available from the planning and development department along with the applicable fee as
76 provided in the city fee schedule.

77 b. The application shall include [~~three~~] **a** certified plat[s] for review.

78 (d) *Major subdivision review.*

79 (1) *Generally.*

80 (2) *Preliminary plat application process.*

81 a. Prior to filing a preliminary plat for review, an applicant may submit the preliminary plat for
82 pre-application review. As far as may be practical on the basis of the preliminary plat, the
83 planning and development director will, in writing, advise the applicant as promptly as
84 possible of the extent to which the proposed subdivision conforms to the design standards in
85 this section, and will discuss possible modifications that may be necessary to secure
86 conformance.

87 b. An applicant shall be required to submit an application for a preliminary plat on forms
88 available from the planning and development department along with the applicable fee as
89 provided in the city fee schedule. The application shall include **a certified** [~~six paper copies~~
90 ~~of a~~] preliminary plat and shall be submitted at least 30 days prior to a regular meeting of the
91 planning commission at which consideration is requested.

92 (3) *Preliminary plat application content.*

93 (4) *Preliminary plat review and approval.*

94 (5) *Construction plans.*

- 95 (6) *Final plat application process.*
- 96 a. After approval of the preliminary plat and public works elements, the applicant shall prepare
- 97 and submit a final plat for review and approval together with other supplementary
- 98 information and certificates.
- 99 b. An applicant shall be required to submit an application for a final plat on forms available
- 100 from the planning and development department along with the applicable fee as provided in
- 101 the city fee schedule. The application shall include a [~~six paper copies of the~~] **certified** final
- 102 plat and shall be submitted at least 30 days prior to a regular meeting of the planning
- 103 commission at which consideration is requested.
- 104 c. Upon approval, **the applicant shall supply the city with at least** five prints on paper [~~will~~
- 105 ~~be required~~] for recording **by the City.**
- 106 (e) *Condominium split.*
- 107 (1) *Application requirements.*
- 108 a. The applicant shall be required to submit an application for a condominium split on forms
- 109 available from the planning and development department along with the applicable fee as
- 110 provided in the city fee schedule.
- 111 b. The application shall include [~~three~~] a certified plat[s] for review.
- 112 (2) *Review procedure.*
- 113 (3) *Approval of plat and recording.*
- 114 a. If approval of the condominium split is granted, the applicant shall supply the city with **at**
- 115 **least** five prints on paper. These documents shall show all applicable information required
- 116 under this chapter and the approval statements shall read:

117

118 ARTICLE III. - ZONE DISTRICTS

119

120 Sec. 94-38. - Medium Density Residential District (MDR).

- 121 (a) *Purpose.*
- 122 (b) *Uses.*
- 123 (c) *Dimensions.* Development in the MDR District shall conform to the following dimensional
- 124 standards:

125 **Table 94-38.1 MDR Dimensional**

Building Types	Lot		Setbacks (min. ft.)[1]				Development Coverage (max.)		Max. Height (ft.)
	Lot Area (min. sq. ft.)	Min. Lot Width (ft.)	Front	Side		Rear [2]	Density (min/max)	FAR	
				Interior	Abutting Street				
Detached Residential	[5]4,000	30	15	5	15	15	6/12	—	35

126

127

128

129

130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162

ARTICLE IV. - USES

Sec. 94-60. - Table of permitted uses.

Table 94-60.1 Permitted Uses

Use Category	Ag/Residential					Mixed-Use/Nonresidential					Supplemental Use Standards		
Subcategory											<i>Note: This reference is to use-specific standards only, other code requirements may apply</i>		
Specific Use Type	CON	A	LDR	MDR	HDR	NC	CC	MU	D	ENT		BUS	I
Residential													
Household Living													
Dwelling													
Manufactured Homes		<u>P</u>	<u>P</u>	<u>P</u>	P								94-62(a)(2)

Sec. 94-61. - Use and structure standards.

(b) Residential uses.

(1) *Home occupations.*

(2) *Dwelling, live/work.*

(3) *Manufactured homes.*

a. New manufactured homes may be placed on any individual lot within a residential zoning district with the following restrictions and regulations:

(i) Manufactured homes shall not be placed or occupied on an individual lot without a building permit issued under these regulations.

(ii) Each manufactured home placed on an individual lot shall:

1. Be occupied only as a single-family dwelling or business unit.

2. Be placed in conformance with all zoning and setback requirements established for the district in which located.

3. Accessory structures shall be placed in conformance with the setback and dimensional requirements established for the district in which located. The exterior covering and roofing material of the accessory structure must be the same as that of the dwelling unit.

4. Have a minimum width of not less than 24 foundation feet as measured at all points perpendicular to the length of the manufactured home which shall be not less than 42 foundation feet. This standard is intended to restrict units to the type which are brought to the site in parts, typically two halves and at least 1,008 square feet minimum.

5. Roof must be a gable, hip or shed roof of at least three in 12 or greater, and covered with material that is residential in appearance including, but not limited to, approved wood, asphalt composition or fiberglass shingles, but excluding corrugated aluminum, corrugated fiberglass or metal roofs; except for permitted deck areas, all roof structures shall provide an eave projection of no less than six inches and no greater than 30 inches.

- 163 **6. Have the main entry door facing the street on which the manufactured home is**
- 164 **located. A sidewalk shall be installed from the street, driveway or sidewalk**
- 165 **adjoining neighboring lots to the front door. The unit must be oriented on the lot**
- 166 **so that its long axis is parallel with the street. A perpendicular or diagonal**
- 167 **placement may be permitted if there is a building addition or substantial**
- 168 **landscaping so the narrow dimension of the unit, as so modified and facing the**
- 169 **street, is no less than 50 percent of the unit's long dimension.**
- 170 **7. Have exterior surface and window treatments that are architecturally compatible**
- 171 **with those of neighboring properties, excluding smooth, ribbed or corrugated**
- 172 **metal or plastic panels.**
- 173 **8. Meet applicable off-street parking requirements.**
- 174 **9. Be placed on a parcel according to approved, pre-submitted building permit, and**
- 175 **have a manufacturer's installation manual and an illustration of the finished**
- 176 **appearance of the unit.**
- 177 **10. Units shall be attached to a continuous permanent foundation, which manner of**
- 178 **placement shall be as stated on the building permit, and meet all manufacturer's**
- 179 **specifications for support.**
- 180 **11. The exterior foundation material shall consist of continuous concrete or masonry**
- 181 **suitable for the outer portion of a finished residence.**
- 182 **12. Have the tongue and running gear, including axles, removed.**
- 183 **13. Maintain a minimum of 18 inches of crawl space under the entire manufactured**
- 184 **home.**
- 185 **14. Have permanent steps set at all exits.**
- 186 **15. Be served by a water supply and sewage disposal system meeting the established**
- 187 **city requirements.**
- 188 **16. Underground public utilities shall be required.**

189 **b. *Pre-owned manufactured homes.* Pre-owned manufactured homes may not be moved**

190 **onto an individual lot within the city.**

191 ([3]4) *Congregate care/senior living.*

192 ([4]5) *Group homes.*

193 ([5]6) *Shelter care facility.*

194 Sec. 94-62. - Special use standards.

195 (a) *Residential uses.*

196 (1) *Home occupation requiring a special use permit.*

197 [~~2~~] ~~*Manufactured homes.*~~

198 a. ~~New manufactured homes may be placed on any individual lot within a residential zoning~~

199 ~~district with the following restrictions and regulations:~~

200 (i) ~~Manufactured homes shall not be placed or occupied on an individual lot without a~~

201 ~~building permit issued under these regulations.~~

202 (ii) ~~Each manufactured home placed on an individual lot shall:~~

203 1. ~~Be occupied only as a single family dwelling or business unit.~~

204 2. ~~Be placed in conformance with all zoning and setback requirements established for the~~

205 ~~district in which located.~~

206 3. ~~Accessory structures shall be placed in conformance with the setback and dimensional~~

207 ~~requirements established for the district in which located. The exterior covering and~~

208 ~~roofing material of the accessory structure must be the same as that of the dwelling~~

209 ~~unit.~~

4. ~~Have a minimum width of not less than 24 foundation feet as measured at all points perpendicular to the length of the manufactured home which shall be not less than 42 foundation feet. This standard is intended to restrict units to the type which are brought to the site in parts, typically two halves and at least 1,008 square feet minimum.~~
5. ~~Roof must be a gable, hip or shed roof of at least three in 12 or greater, and covered with material that is residential in appearance including, but not limited to, approved wood, asphalt composition or fiberglass shingles, but excluding corrugated aluminum, corrugated fiberglass or metal roofs; except for permitted deck areas, all roof structures shall provide an eave projection of no less than six inches and no greater than 30 inches.~~
6. ~~Have the main entry door facing the street on which the manufactured home is located. A sidewalk shall be installed from the street, driveway or sidewalk adjoining neighboring lots to the front door. The unit must be oriented on the lot so that its long axis is parallel with the street. A perpendicular or diagonal placement may be permitted if there is a building addition or substantial landscaping so the narrow dimension of the unit, as so modified and facing the street, is no less than 50 percent of the unit's long dimension.~~
7. ~~Have exterior surface and window treatments that are architecturally compatible with those of neighboring properties, excluding smooth, ribbed or corrugated metal or plastic panels.~~
8. ~~Meet applicable off-street parking requirements.~~
9. ~~Be placed on a parcel according to approved, pre-submitted building permit, and have a manufacturer's installation manual and an illustration of the finished appearance of the unit.~~
10. ~~Units shall be attached to a continuous permanent foundation, which manner of placement shall be as stated on the building permit, and meet all manufacturer's specifications for support.~~
11. ~~The exterior foundation material shall consist of continuous concrete or masonry suitable for the outer portion of a finished residence.~~
12. ~~Have the tongue and running gear, including axles, removed.~~
13. ~~Maintain a minimum of 18 inches of crawl space under the entire manufactured home.~~
14. ~~Have permanent steps set at all exits.~~
15. ~~Be served by a water supply and sewage disposal system meeting the established city requirements.~~
16. ~~Underground public utilities shall be required.~~

b. ~~Pre-owned manufactured homes. Pre-owned manufactured homes may not be moved onto an individual lot within the city.]~~

([3]2) *Mobile home community.*

Sec. 94-64. - Temporary use standards.

- (a) *Purpose.*
- (b) *Use table for temporary uses and special events.*
- (c) *General standards for all temporary uses and structures.*
- (d) *Supplemental temporary use standards.*
 - (1) *Charitable drop box.*
 - (2) *Construction field office, construction storage yard.*
 - (3) *Farmer's market.*
 - (4) *Food truck.*

- 257 (5) *Garage, yard or estate sale.*
- 258 (6) *Outdoor sale/promotional event.* The temporary outdoor displaying of wares, including for
 259 temporary parking lot sales, shall only be permitted in the MU, CC, ENT, and D Districts within
 260 the front or side parking area by temporary use permit provided the following conditions are met:
- 261 a. Shall be located within the confines of the retailer's owned or leased property;
- 262 b. A sub-lessee may not occupy a parking lot for the purpose of conducting independent sales
 263 activity;
- 264 c. Shall be located at least 25 feet from all property lines;
- 265 d. Shall not block any sight triangle or the view of on-coming traffic;
- 266 e. ~~[No merchandise shall block any public pedestrian way, and a]~~ A minimum clearance width
 267 of three feet ~~[from any public]~~ within any pedestrian way or sidewalk shall be provided;
- 268 f. No merchandise may be placed on landscaping, or within three feet of either side of a
 269 working doorway, or within ten feet directly in front of a working doorway;
- 270 ~~[g.—Minimum off street parking requirements shall be maintained if applicable;]~~
- 271 ~~[h]g.~~ Merchandise shall not be hung resulting in a clearance less than eight feet above a
 272 pedestrian way. Additionally, any display with moving parts shall not come into contact
 273 with pedestrians if there is any potential to cause harm, including movement driven by the
 274 movement of air or by mechanical or electrical means;
- 275 ~~[i]h.~~ This section shall not apply to the sale of motor vehicles, trailers or boats;
- 276 ~~[j]i.~~ Hours of operation shall coincide with the hours of operation for the principal use; and
- 277 ~~[k]i.~~ All merchandise shall be secured during nonoperational hours.
- 278 (11) *Seasonal sale.*
- 279 a. The use may only be located on a vacant lot, or on a lot occupied by a nonresidential use.
 280 The use shall not operate as an accessory to a principal residential use on a lot. In addition,
 281 the use shall not be located on a lot which adjoins a residential use unless the lot is located
 282 on a major thoroughfare.
- 283 b. The use shall be located on an arterial street classification or higher.
- 284 c. The use shall not involve or require the construction of a permanent building. A portable
 285 building may be permitted on site, and shall be removed within 48 hours of the expiration of
 286 the temporary use permit. Where required for security purposes as identified by the city, a
 287 recreational vehicle may be parked on the site for the duration of the use; the recreational
 288 vehicle used for security purposes may not be used as a residence.
- 289 d. Goods or merchandise displayed in conjunction with a seasonal sale shall not exceed nine
 290 feet in height.
- 291 e. Any signage which identifies the use shall be in accordance with the temporary sign
 292 standards.
- 293 f. Five off-street parking spaces shall be provided for the use.
- 294 g. The use, including all sale items, parking and maneuvering shall observe a setback of 25 feet
 295 from all property lines, and sale items shall not be located in the sight ~~[distance]~~ triangle.

296
 297 ARTICLE VI. - OFF-STREET PARKING
 298

299 Sec. 94-87. - Off-street parking standards.

300 (a) *Computation of required off-street parking spaces.*

301 (b) *Determination by planning and development director.*

302 (c) *Off-street parking spaces required.*

303 (d) *Off-street parking standards for selected service and industrial uses.*

304 (e) *Uses with variable parking demand.*

305 (f) *Maximum parking spaces allowed.*

306 [~~g~~] ~~*Exceptions and adjustments.*~~

307 (1) ~~*Change in permitted uses.* A permitted use that does not meet the parking requirements of this~~
308 ~~section may be converted to another permitted use without full compliance with the required~~
309 ~~number of parking spaces provided:~~

310 a. ~~The applicant provides the maximum amount of parking spaces possible without being~~
311 ~~required to remove, or partially remove a structure.~~

312 b. ~~If a structure or a portion of a structure is voluntarily removed, the resulting area shall be~~
313 ~~used to provide the additional parking spaces necessary towards fulfilling the requirements~~
314 ~~of Table 94-87.1.~~

315 (2) ~~*Small use exception.* Any individual use in a space that is 2,000 square feet or smaller shall be~~
316 ~~exempt from the parking requirement of Table 94-87.1 except for uses in the eating and drinking~~
317 ~~use category.~~

318 (3) ~~*Shared parking.*~~

319 a. ~~Shared parking spaces shall be located within 500 linear feet of the primary entrance of all~~
320 ~~uses served as measured along the shortest legal, practical walking route. This route may~~
321 ~~include crossing a right of way provided it uses a legal crosswalk. Such distance shall not~~
322 ~~apply if a remote parking shuttle bus service is provided. Shared parking spaces shall not be~~
323 ~~separated from the use they serve by an arterial or collector street. In addition, adequate and~~
324 ~~safe pedestrian access must be provided from, and to the shared parking areas.~~

325 (4) ~~*Bus transportation.* When a commercial establishment can document, to the satisfaction of the~~
326 ~~planning and development director, that a notable percentage of their customers will be~~
327 ~~transported to and from their premises in buses, the planning and development director may~~
328 ~~approve the substitution of bus spaces for required parking spaces. Bus spaces must be a~~
329 ~~minimum of ten feet in width and 36 feet in length, shall be unobstructed from the surface up to a~~
330 ~~height of at least 15 feet, shall be so located to ensure the furthest possible distance from any~~
331 ~~adjacent residential area, and shall be clearly marked. When approved by the planning and~~
332 ~~development director, one bus parking space may be substituted for 11 required parking spaces~~
333 ~~to a maximum of ten total bus spaces in lieu of a maximum of 110 total required parking spaces.~~
334 ~~No substitution of required parking spaces shall be approved for any bus spaces in excess of ten.~~

335 (5) ~~*Tandem parking with valet.* An off street parking program utilizing limited tandem parking for~~
336 ~~commercial uses shall comply with the following standards:~~

337 a. ~~The development served shall provide 75 or more parking spaces;~~

338 b. ~~No more than 30 percent of the total number of spaces shall be designated as tandem; and~~

339 c. ~~A valet parking attendant must be on duty during hours of operation.]~~

340 ([~~h~~]~~g~~) *Bicycle parking.*

341 ([~~i~~]~~h~~) *Loading areas.*

342 ([j]i) *Vehicle stacking areas.* The following standards shall apply to businesses that contain a drive-
343 through establishment (e.g., restaurant or financial institution), and are a stand-alone use (e.g.,
344 automatic teller machine):

345 (1) *General standards.*

346 (2) *Stacking space and lane requirements.* Stacking lanes shall comply with the following design
347 standards:

348 a. Drive-through stacking lanes shall have a minimum width of eight feet, and length of 20
349 feet.

350 b. The first position in a drive-through station, located at the window, is counted as a stacking
351 space. No stacking spaces may be counted as parking spaces unless specified in Table 94-
352 87.1.

353 [~~e.~~ ~~When stacking lanes are separated from other stacking lanes, bypass lanes or from other site~~
354 ~~areas, the separation shall be by means of a raised concrete median, concrete curb, or~~
355 ~~landscaping.~~]

356 [~~d]~~ c. Stacking lanes shall be set back 25 feet from rights-of-way.

357 [~~e]~~ **d.** All stacking lanes must be clearly identified, through the use of means such as striping,
358 **concrete curbing,** landscaping and signs.

359 [~~f]~~ **e.** The number of required stacking spaces shall be as provided for in Table 94-87.5,
360 Stacking Space Requirements. See Figure 94-87.A for an illustration of stacking lanes:

361 ([k]i) *Access.*

362

363

ARTICLE VII. - LANDSCAPING AND SCREENING

364 Sec. 94-101. - Required landscaping.

365 Table 94-101.1: Required [~~Site Perimeter Landscaping~~] **Buffering**

District of Proposed Development	Required Level of [Perimeter Landscaping] Buffering					
	A, CON	LDR	MDR, HDR	MU, NC, D	CC, ENT, BUS	I, Arterial Street

366

367 Table 94-101.2: Specifications for [~~Site Perimeter Landscaping~~] **Buffering**

368 (d) *Parking lot landscaping.*

369 (1) *Internal landscape islands.*

370 (2) *Sight [~~distance~~] triangle.* A site [~~distance~~] triangle within the off-street parking area must be
371 established at street intersections by maintaining a maximum height for any shrubs and ground
372 cover of 30 inches. No obstructions are permitted in the site [~~distance~~] triangle, including tree
373 branches that must be trimmed within eight feet of the ground. All applicable sight distance
374 requirements must be met for parking lot internal circulation and access points to the public
375 right-of-way.

376 Sec. 94-102. - General standards for landscaping materials and installation.

377 (a) *Plant materials list.* The [~~tree board~~] **City** shall maintain a suggested and prohibited plant list as
378 necessary to identify plant material requirements or prohibitions within the city. Where a species is
379 chosen for a landscape plan that is not identified on a city plant list, the applicant shall provide
380 information about growth and spacing characteristics on the landscape plan. Plant information shall
381 be taken from objective sources, including professional landscape organization websites or nursery
382 cut sheets. Plant materials identified in any prohibited plant list may not be used in landscaping.

383 (b) *Quality.*

384 (c) *Coverage.*

385 (d) *Trees.*

386 (e) *Shrubs, hedges, and ornamental grasses.*

387 (f) *Ground cover, perennials, and annual planting areas.*

388 (g) *Lawn grass.*

389 (h) *Irrigation.*

390 **(i) Fences.**

391 **(1) Fences or walls within the front yard of any residential lot shall not exceed three feet in**
392 **height and shall be at least 50 percent open.**

393 **(2) Fences or walls within the side or rear yard of any residential lot shall not exceed seven**
394 **feet in height.**

395 **(3) The use of barbed wire, scrap metal, tarps, pallets, or other non-fencing materials are not**
396 **permitted within any residential lot.**

**Branson Planning Commission
Staff Report and Recommendation
Project No. SU20-5 (20-000005)**

LOCATION:	1715 WEST 76 COUNTRY BOULEVARD
OWNER/APPLICANT:	JHW TRUST/TODD CHANDLER
ITEM/SUBJECT:	<u>REQUEST FOR A SPECIAL USE PERMIT TO OPERATE A RESTAURANT WITH A DRIVE-THRU WITHIN THE PROPERTY LOCATED AT 1715 WEST 76 COUNTRY BOULEVARD, BRANSON, MISSOURI.</u>
DATE:	JULY 7, 2020
INITIATING DEPARTMENT:	PLANNING & DEVELOPMENT DEPARTMENT

APPROVED BY:

Director of Planning & Development

Date

STAFF REPORT:

A Special Use Application has been received from Todd Chandler of Cribb Philbeck Weaver Group, Inc. on behalf of JHW Trust, for Table Rock Coffee Roaster to operate a restaurant with a drive-thru within the property located at 1715 West 76 County Boulevard. The property is located on the north side of West 76 Country Boulevard at the intersection of Truman Drive (see attachment 2). This property contains an existing 18,000 square foot building, Branson Skate World, and paving area. It had additionally included the Bumper Boat Amusement which was demolished in 2019. The property is currently zoned Entertainment District (ENT).

Aside from minor updates, the Unified Development Code (Branson Municipal Code Chapter 94) was approved in December 2016 (Ord. No. 2016-0193) and became effective February 1, 2017. In addition to establishing the new zoning districts within the City, the Code reestablished the dimensional standards and what uses would be permitted within each district. Specifically for the Entertainment District, different standards were established to maintain and enhance this corridor as a thriving activity center, while recognizing the challenges presented by the amount of automobile usage within this particular area. Consequently, while drive-thrus are a permitted use in the Community Commercial, Mixed-Use and Business Districts, they require a Special Use Permit in the Entertainment, Downtown and Neighborhood Commercial Districts.

The applicant's specific request is to provide a drive-thru window on the north side of a new restaurant building proposed for this location (see attachment 1), with the stacking lanes also located on the north side and to the east of the building. As a result, all proposed drive-thru components comply with all applicable requirements of Branson Municipal Code Section 94-87. Given the applicant's proposed layout, there is ample space within the subject property for more than the six required staking locations. Additionally, the layout promotes vehicular circulation to exit the property via Truman Drive causing little concern for any negative affect or conflict with street access or on traffic patterns within the area.

STAFF RECOMMENDATION:

Staff recommends approval of Resolution SU20-5 based on the following conditions:

1. The drive-thru and associated facilities shall generally conform with the submitted site plan, Exhibit A, and shall conform to all Codes and Ordinance of the City; and,
2. The applicant shall apply for and receive a business license from the City prior to any business operations and that license shall remain in good standing; and,
3. If all conditions of this Resolution authorizing the issuance of this Special Use Permit are not acted upon on or before July 7, 2021, this Special Use Permit shall be null and void.

MUNICIPAL CODE REGULATIONS:

The following regulations should be considered by the Commission in formulating a decision:

Branson Municipal Code Section 94-16. Special uses.

(a) Permit Required

A special use permit shall be required from the Planning Commission for any use listed as a special use in any zoning district, and for any use not listed in any zoning district. A special use permit in review is intended to allow the establishment of uses that have a special impact, uniqueness, or effect on the neighborhood surrounding the subject site.

(b) Review and Approval Criteria

In considering a special use, the Planning Commission shall consider the location and design of the proposed use, configuration of improvements, potential impacts on the surrounding neighborhood, and that development in each zoning district protects the integrity of that district, and following a hearing, the commission shall record the decision in writing and shall recite the findings upon which the decision is based.

The commission may approve or modify a special use permit application in whole, or in part with conditions, only if all the following findings are made:

- (1) The proposed use is conditionally permitted within, and would not impair the integrity and character of the intended purpose of the subject zoning district, and complies with all of the applicable provisions of this chapter;*
- (2) The proposed use is consistent with the Community Plan 2030;*
- (3) There will be no significant negative effects upon environmental quality and natural resources that could not be properly mitigated and monitored;*
- (4) The design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses within the general area in which the proposed use is to be located, and will not create significant noise, traffic, or other conditions or situations that may be objectionable or detrimental to other permitted uses in the vicinity, or adverse to the public interest, health, safety, convenience or welfare of the city;*
- (5) The subject site is physically suitable for the type and density/intensity of use being proposed; and*
- (6) There are adequate provisions for public access, water, sanitation, and public utilities and services to ensure that the proposed use would not be detrimental to the public health and safety.*

Branson Municipal Code Section 94-87. Off-street parking standards.

(j) Vehicle stacking areas. The following standards shall apply to businesses that contain a drive-through establishment (e.g., restaurant or financial institution), and are a stand-alone use (e.g., automatic teller machine):

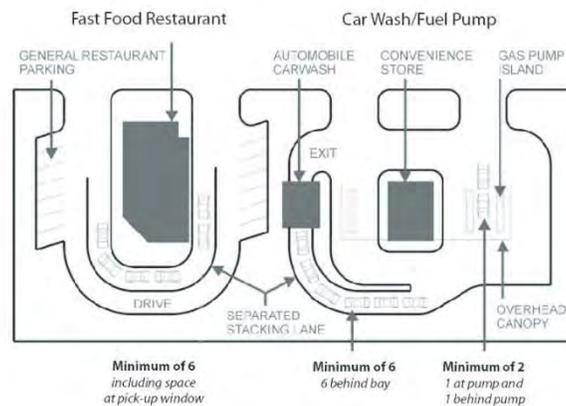
- (1) General standards.*

- a. Audible electronic devices such as loudspeakers, automobile service order devices and similar instruments shall not be located within 250 feet of any residential dwelling unit.
 - b. No service shall be rendered, deliveries made or sales conducted within the required front yard or abutting street side yard; customers served in vehicles shall be parked to the sides or rear of the principal building.
 - c. All drive-through areas, including but not limited to, menu boards, stacking lanes, trash receptacles, loudspeakers, drive-up windows and other objects associated with the drive-through area shall be located in the side or rear yard of a property to the maximum extent feasible, and shall not cross, interfere with or impede any public right-of-way.
- (2) Stacking space and lane requirements. Stacking lanes shall comply with the following design standards:
- a. Drive-through stacking lanes shall have a minimum width of eight feet, and length of 20 feet.
 - b. The first position in a drive-through station, located at the window, is counted as a stacking space. No stacking spaces may be counted as parking spaces unless specified in Table 94-87.1.
 - c. When stacking lanes are separated from other stacking lanes, bypass lanes or from other site areas, the separation shall be by means of a raised concrete median, concrete curb, or landscaping.
 - d. Stacking lanes shall be set back 25 feet from rights-of-way.
 - e. All stacking lanes must be clearly identified, through the use of means such as striping, landscaping and signs.
 - f. The number of required stacking spaces shall be as provided for in Table 94-87.5, Stacking Space Requirements. See Figure 94-87.A for an illustration of stacking lanes:

Table 94-87.5: Stacking Space Requirements

Activity	Minimum Stacking Spaces (per lane)	Measured From:
Restaurant	6	Pick-Up Window

Fig. 94-54.A: Stacking Lanes



- (k) Access.
 - (1) All driveway entrances, including stacking lane entrances, must be at least 50 feet from an intersection. The distance is measured along the property line from the junction of the two street lot lines to the nearest edge of the entrance. The public works director may determine that a right in, right out entrance is permitted closer than 50 feet from an intersection.
 - (2) The entrance to a stacking lane shall be located so as to avoid conflicting with the street access.
 - (3) Access driveways on a corner site shall be located as far as possible from the abutting street intersection.
 - (4) Pedestrian/barrier-free access to building entrances shall provide direct pedestrian links to main parking areas and public sidewalks that do not pass through a stacking lane.

COMMENTS:

No additional comments were provided by any other departments relating to the applicant's request.

ATTACHED INFORMATION: 1) Special Use Application
2) Vicinity Maps

ATTACHMENT 1



Special Use - New Special Use Permit

SU20-000005

Application Date: 05/29/2020

Application Information[±]:

Applicant Name	Todd Chandler
Applicant Email	todd.chandler@MadridCPWG.com
Applicant Address	231 Rockpoint Drive Walnut Shade MO 65771
Applicant Company Name	Cribb Philbeck Weaver Group, Inc
Applicant Company Address	301 West Pacific Street Suite B Branson MO 65616
Applicant Home Phone	
Applicant Cell Phone	(816) 519-1601
Applicant Work Phone	(417) 320-6065
Are you the property owner?	No
Would you like to add additional team members?	Yes
Additional Team Member 1 Name	JHW TRUST
Additional Team Member 1 Email	
Additional Team Member 1 Address	180 RIVER BEND RD BRANSON MO 65616-
Additional Team Member 1 Company Name	
Additional Team Member 1 Company Address	
Additional Team Member 1 Home Phone	
Additional Team Member 1 Cell Phone	
Additional Team Member 1 Work Phone	
Additional Team Member 2 Name	Pete Long
Additional Team Member 2 Email	designonearch@gmail.com
Additional Team Member 2 Address	Branson MO 65616
Additional Team Member 2 Company Name	Design One Architects
Additional Team Member 2 Company Address	1440 State Hwy 248 Suite 108 Branson MO 65616
Additional Team Member 2 Home Phone	
Additional Team Member 2 Cell Phone	(417) 230-3563
Additional Team Member 2 Work Phone	
Additional Team Member 3 Name	Chris Richard
Additional Team Member 3 Email	wideawake@tablerockcoffeeroasters.com
Additional Team Member 3 Address	180 Grace Chapel Rd #110 Blue Eye MO 65611
Additional Team Member 3 Company Name	Table Rock Coffee Roasters
Additional Team Member 3 Company Address	180 Grace Chapel Rd #110 Blue Eye MO 65611
Additional Team Member 3 Home Phone	
Additional Team Member 3 Cell Phone	(619) 416-1118
Additional Team Member 3 Work Phone	
Requested use	Drive Thru Window on North Side of Building
Are there deed restrictions?	No



Property Owner Acknowledgement

In signing this acknowledgement, the property owner supports the request and agrees that all information provided is complete and accurate. The property owner also agrees to abide by the regulations of the Branson Municipal Code and understands they may be held responsible for any violation.

Property address: 1715 State Hwy 76 Branson, MO 65616

[Signature]
Property Owner Signature

David C Richard
Print Name

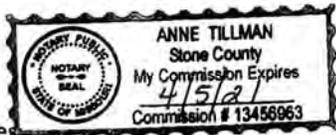
5/28/20
Date

STATE OF Missouri)
COUNTY OF Stone) SS.

On this 28th day of May, 2020, before me personally appeared DAVID C. RICHARD, to me known to be the property owner described in and who executed the foregoing application, and acknowledged that he/she executed the same as his/her free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at my office in Blue Eye, MO the day and year first above written.

1st Anne Tillman
Notary Public



My term expires _____

TREES	QTY	BOTANICAL NAME / COMMON NAME
	6	ACER SACCHARUM / SUGAR MAPLE
	4	SAPINDUS DRUMMONDII / SOAPBERRY
SHRUBS	QTY	BOTANICAL NAME / COMMON NAME
	43	BUXUS SEMPERVIRENS / BOXWOOD BUSH
	41	SPIRAEA NIPPONICA / SNOWMOUND SPIREA
GROUND COVER	QTY	BOTANICAL NAME / COMMON NAME
	7739 SF	FESTUCA ARUNDINACEA / TALL FESCUE

PLANT LEGEND

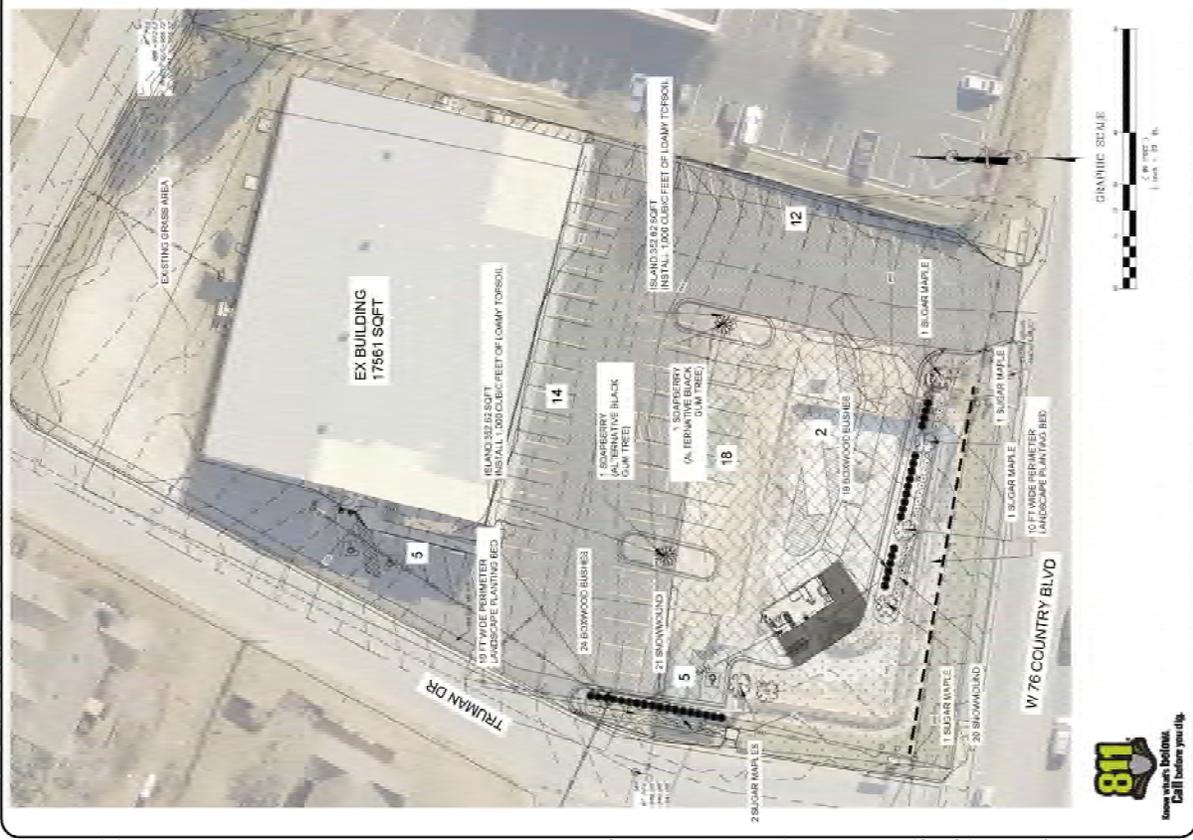
- LANDSCAPE INSTALLATION NOTES:**
1. All plant material shall conform to ANSI Z60.1. All trees and shrubs shall have well-developed leaders and form and roots characteristic of the species, mature or nursery and shall show evidence of proper nursery pruning. All plant material must be free of insects, diseases, mechanical injuries and other objectionable features at the time of planting.
 2. All trees/shrubs must be treated according to ANSI Z309 standards.
 3. All plant material shall be container grown unless otherwise specified and nurseries and/or grower as a condition of sale shall provide a written report to the contractor detailing the application of the fungicide, insecticide, and nematocides to the plant material prior to shipment to the site.
 4. All shrubs shall be a minimum of 1 1/2" caliper (1 1/2" for 12" height) and all trees shall be a minimum of 2" caliper (2" for 12" height) and all trees shall be Grade B or better.
 5. The Landscape Contractor shall be responsible for verification of all quantities on the plant schedule. In the event of a conflict between quantities on the plant schedule and the plans, the plans shall take precedence and the discrepancy shall be brought to the attention of the landscape architect prior to installation. The contractor shall be responsible for any discrepancies in quantities. The contractor shall be responsible for any discrepancies in quantities. The contractor shall be responsible for any discrepancies in quantities.
 6. The Landscape Contractor is responsible for compliance with all applicable building codes, ordinances and local regulation. The contractor shall be responsible for obtaining all necessary permits to perform the work.
 7. The Landscape Contractor is responsible for inspection of existing conditions, and promptly reporting all deficiencies to the architect. The contractor shall be responsible for all work necessary to correct all deficiencies. The contractor shall be responsible for all work necessary to correct all deficiencies.
 8. Prior to the start of construction, the Landscape Contractor shall be responsible for furnishing themselves with the location of all utilities (underground and overhead). The exact location of all utilities shall be marked on the site. The contractor shall be responsible for all work necessary to correct all deficiencies. The contractor shall be responsible for all work necessary to correct all deficiencies.
 9. The Landscape Contractor shall be responsible for fine grading all landscape areas, and eliminating all bumps, depressions, rocks, stones, concrete, and other debris to the satisfaction of the landscape architect. The contractor shall be responsible for all work necessary to correct all deficiencies. The contractor shall be responsible for all work necessary to correct all deficiencies.
 10. The Landscape Contractor shall maintain all tree areas (beds/seed, planting beds, ground covers, shrubs, palms, and trees until final acceptance including watering, weeding, fertilizing, mowing (maintain 2" height or as specified) and edging, insect and disease control, mulching (3" mulch depth, or as specified), maintain tree stakes and brises, maintain tree rings per tree planting detail.
 11. The Landscape Contractor is responsible for ensuring all plant materials is adequately watered:
 - a. at time of planting,
 - b. during plant establishment,
 - c. until final acceptance.
 12. Contractor shall remove tree supports, stakes, braces, guy-wires, tape, upon plant material becoming established and prior to final acceptance.
 13. Plant material guarantee shall be per written specifications.

LEGEND

- NORTH OF EXISTING LINE
- EXISTING SANITARY SEWER LINE
- EXISTING STORM SEWER LINE
- WATER MAIN
- SANITARY SEWER LINE
- EXISTING CONTIGUOUS MAJOR
- EXISTING CONTIGUOUS MAJOR
- PROPOSED CONTIGUOUS MAJOR
- SANITARY SEWER MAINLINE
- WATER MAIN
- FIRE HYDRANT
- BACKFLOW PREVENTION

1. Existing site conditions shall be shown on the site plan.
2. All proposed construction shall be shown on the site plan.
3. All proposed construction shall be shown on the site plan.
4. All proposed construction shall be shown on the site plan.
5. All proposed construction shall be shown on the site plan.
6. All proposed construction shall be shown on the site plan.
7. All proposed construction shall be shown on the site plan.
8. All proposed construction shall be shown on the site plan.
9. All proposed construction shall be shown on the site plan.
10. All proposed construction shall be shown on the site plan.
11. All proposed construction shall be shown on the site plan.
12. All proposed construction shall be shown on the site plan.
13. All proposed construction shall be shown on the site plan.
14. All proposed construction shall be shown on the site plan.
15. All proposed construction shall be shown on the site plan.
16. All proposed construction shall be shown on the site plan.
17. All proposed construction shall be shown on the site plan.
18. All proposed construction shall be shown on the site plan.
19. All proposed construction shall be shown on the site plan.
20. All proposed construction shall be shown on the site plan.
21. All proposed construction shall be shown on the site plan.
22. All proposed construction shall be shown on the site plan.
23. All proposed construction shall be shown on the site plan.
24. All proposed construction shall be shown on the site plan.
25. All proposed construction shall be shown on the site plan.
26. All proposed construction shall be shown on the site plan.
27. All proposed construction shall be shown on the site plan.
28. All proposed construction shall be shown on the site plan.
29. All proposed construction shall be shown on the site plan.
30. All proposed construction shall be shown on the site plan.
31. All proposed construction shall be shown on the site plan.
32. All proposed construction shall be shown on the site plan.
33. All proposed construction shall be shown on the site plan.
34. All proposed construction shall be shown on the site plan.
35. All proposed construction shall be shown on the site plan.
36. All proposed construction shall be shown on the site plan.
37. All proposed construction shall be shown on the site plan.
38. All proposed construction shall be shown on the site plan.
39. All proposed construction shall be shown on the site plan.
40. All proposed construction shall be shown on the site plan.
41. All proposed construction shall be shown on the site plan.
42. All proposed construction shall be shown on the site plan.
43. All proposed construction shall be shown on the site plan.
44. All proposed construction shall be shown on the site plan.
45. All proposed construction shall be shown on the site plan.
46. All proposed construction shall be shown on the site plan.
47. All proposed construction shall be shown on the site plan.
48. All proposed construction shall be shown on the site plan.
49. All proposed construction shall be shown on the site plan.
50. All proposed construction shall be shown on the site plan.
51. All proposed construction shall be shown on the site plan.
52. All proposed construction shall be shown on the site plan.
53. All proposed construction shall be shown on the site plan.
54. All proposed construction shall be shown on the site plan.
55. All proposed construction shall be shown on the site plan.
56. All proposed construction shall be shown on the site plan.
57. All proposed construction shall be shown on the site plan.
58. All proposed construction shall be shown on the site plan.
59. All proposed construction shall be shown on the site plan.
60. All proposed construction shall be shown on the site plan.
61. All proposed construction shall be shown on the site plan.
62. All proposed construction shall be shown on the site plan.
63. All proposed construction shall be shown on the site plan.
64. All proposed construction shall be shown on the site plan.
65. All proposed construction shall be shown on the site plan.
66. All proposed construction shall be shown on the site plan.
67. All proposed construction shall be shown on the site plan.
68. All proposed construction shall be shown on the site plan.
69. All proposed construction shall be shown on the site plan.
70. All proposed construction shall be shown on the site plan.
71. All proposed construction shall be shown on the site plan.
72. All proposed construction shall be shown on the site plan.
73. All proposed construction shall be shown on the site plan.
74. All proposed construction shall be shown on the site plan.
75. All proposed construction shall be shown on the site plan.
76. All proposed construction shall be shown on the site plan.
77. All proposed construction shall be shown on the site plan.
78. All proposed construction shall be shown on the site plan.
79. All proposed construction shall be shown on the site plan.
80. All proposed construction shall be shown on the site plan.
81. All proposed construction shall be shown on the site plan.
82. All proposed construction shall be shown on the site plan.
83. All proposed construction shall be shown on the site plan.
84. All proposed construction shall be shown on the site plan.
85. All proposed construction shall be shown on the site plan.
86. All proposed construction shall be shown on the site plan.
87. All proposed construction shall be shown on the site plan.
88. All proposed construction shall be shown on the site plan.
89. All proposed construction shall be shown on the site plan.
90. All proposed construction shall be shown on the site plan.
91. All proposed construction shall be shown on the site plan.
92. All proposed construction shall be shown on the site plan.
93. All proposed construction shall be shown on the site plan.
94. All proposed construction shall be shown on the site plan.
95. All proposed construction shall be shown on the site plan.
96. All proposed construction shall be shown on the site plan.
97. All proposed construction shall be shown on the site plan.
98. All proposed construction shall be shown on the site plan.
99. All proposed construction shall be shown on the site plan.
100. All proposed construction shall be shown on the site plan.

ITEMS TO BE DEVELOPED AND/OR IMPROVED	QUANTITY	REMARKS
1. SANITARY SEWER LINE	1000 LF	EXISTING
2. STORM SEWER LINE	1000 LF	EXISTING
3. WATER MAIN	1000 LF	EXISTING
4. FIRE HYDRANT	1	EXISTING
5. BACKFLOW PREVENTION	1	EXISTING
6. SANITARY SEWER LINE	1000 LF	PROPOSED
7. STORM SEWER LINE	1000 LF	PROPOSED
8. WATER MAIN	1000 LF	PROPOSED
9. FIRE HYDRANT	1	PROPOSED
10. BACKFLOW PREVENTION	1	PROPOSED



ATTACHMENT 2: VICINITY MAPS - AERIAL



Legend

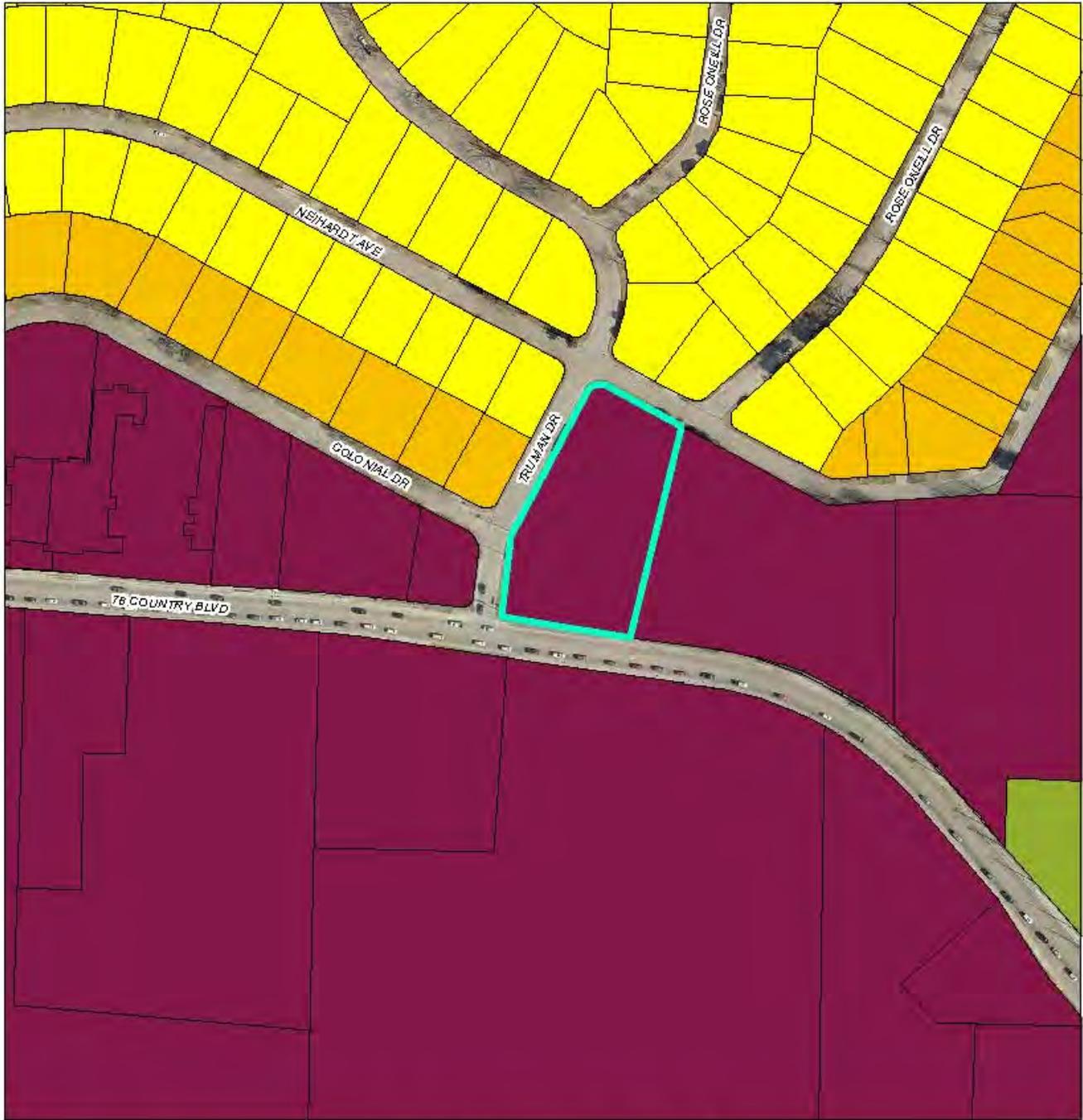
- Sanitary Sewer Manholes
- Liftstation
- Sewer Gravity Mains
- Sewer Pressurized Mains
- Water Hydrants
- ▲ Water System Valves
- Water Mains
- STORM INLET STRUCTURES
- ▼ STORM INTAKE STRUCTURES
- STORM OUTFALL STRUCTURES
- STORM_SEWER_PIPE
- DISTRIBUTION
- TRANSMISSION

N

1 inch = 200 feet
 City of Branson
 Planning & Development
 Date: 6/4/2020

**1715 W 76
 Country Blvd**

VICINITY MAPS - CURRENT ZONING

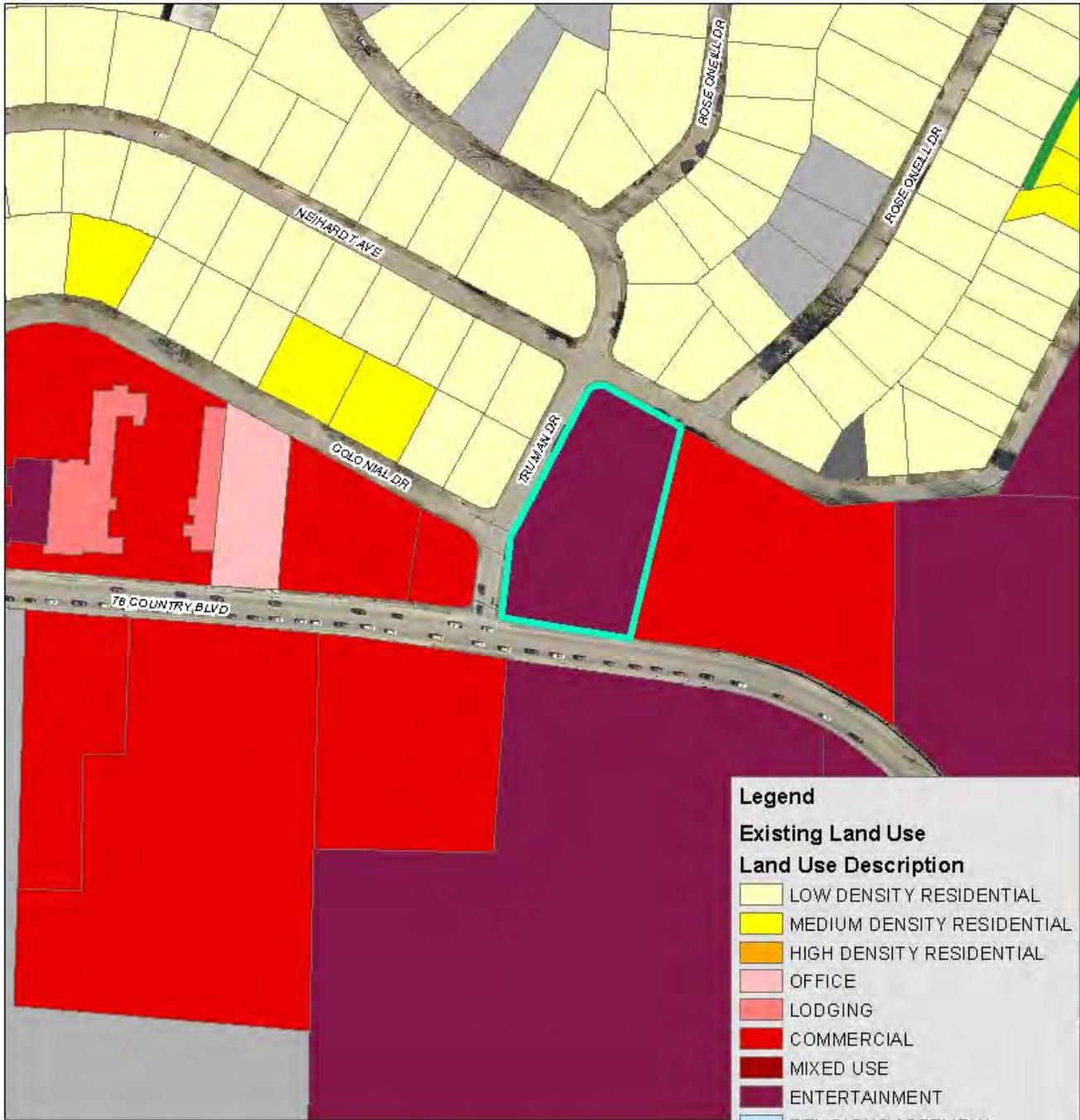



1 inch = 200 feet
 City of Branson
 Planning & Development
 Date: 6/4/2020

1715 W 76 Country Blvd

 Agricultural	 Neighborhood Commercial	 Business
 Conservation	 Mixed-Use	 Industrial
 Low Density Residential	 Community Commercial	 Planned Development
 Medium Density Residential	 Downtown	 Unzoned
 High Density Residential	 Entertainment	

VICINITY MAPS - CURRENT LAND USE



Legend

Existing Land Use

Land Use Description

Yellow	LOW DENSITY RESIDENTIAL
Bright Yellow	MEDIUM DENSITY RESIDENTIAL
Orange	HIGH DENSITY RESIDENTIAL
Pink	OFFICE
Light Red	LODGING
Red	COMMERCIAL
Dark Red	MIXED USE
Purple	ENTERTAINMENT
Light Blue	RELIGIOUS ASSEMBLY
Blue	HEALTH CARE
Dark Blue	INSTITUTIONAL
Dark Purple	INDUSTRIAL
Light Green	RECREATION
Green	OPEN SPACE
Light Green	AGRICULTURAL
Grey	UTILITIES
Grey	VACANT
White	TANEY COUNTY

N
▲

1 inch = 200 feet

City of Branson
Planning & Development
Date: 6/4/2020

**1715 W 76
Country Blvd**

VICINITY MAPS - ORTHOMETRIC IMAGES



VIEW FROM THE NORTH



VIEW FROM THE EAST



VIEW FROM THE SOUTH



VIEW FROM THE WEST

PLANNING COMMISSION

RESOLUTION NO. SU20-5 (20-000005)

A PLANNING COMMISSION RESOLUTION AUTHORIZING THE PLANNING AND DEVELOPMENT DIRECTOR TO ISSUE A SPECIAL USE PERMIT TO OPERATE A RESTAURANT WITH A DRIVE-THRU WITHIN THE PROPERTY LOCATED AT 1715 WEST 76 COUNTRY BOULEVARD, BRANSON, MISSOURI.

WHEREAS, a Special Use Application has been submitted to the City by Todd Chandler of Cribb Philbeck Weaver Group, Inc. on behalf of JHW Trust for Table Rock Coffee Roaster to operate a restaurant with a drive-thru within the property located at 1715 West 76 Country Boulevard, legally described as follows:

See Exhibit A

WHEREAS, the Zoning Regulations for the City of Branson, Missouri, require a Public Hearing before the Planning Commission for the approval of a Special Use Permit; and,

WHEREAS, a Public Hearing was held before the Planning Commission on July 7, 2020, at 7:00 PM in the City Council Chambers located at 110 W. Maddux Street, Branson, Missouri; and,

WHEREAS, all required documentation and payment of the required filing fee have been received by the City of Branson.

BE IT THEREFORE RESOLVED, that the Planning Commission for the City of Branson hereby authorizes the Planning and Development Director to issue a Special Use Permit to operate a restaurant with a drive-thru within the property located at 1715 West 76 Country Boulevard, Branson, Missouri, upon certification by the appropriate departments of the City that the following conditions have been satisfactorily completed:

1. The drive-thru and associated facilities shall generally conform with the submitted site plan, Exhibit B, and shall conform to all Codes and Ordinance of the City; and,
2. The applicant shall apply for and receive a business license from the City prior to any business operations and that license shall remain in good standing; and,
3. If all conditions of this Resolution authorizing the issuance of this Special Use Permit are not acted upon on or before July 7, 2021, this Special Use Permit shall be null and void.

DONE THIS 7TH DAY OF JULY, 2020, BY THE PLANNING COMMISSION FOR THE CITY OF BRANSON, MISSOURI.

Clark Harris – Chairperson

ATTEST:

Joel Hornickel – Planning and Development Director

SU20-000005

EXHIBIT A

TRACT II:

#

A PART OF SE1/4 SW1/4 OF SECTION 31, TOWNSHIP 23, RANGE 21, AND A PART OF THE NE1/4NW1/4 OF SECTION 6, TOWNSHIP 22, RANGE 21, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 267.50 FEET WEST OF THE SE CORNER OF THE SAID SW1/4 OF SECTION 31 AND ON THE SOUTH LINE OF SAID SECTION 31, (SAID BEGINNING POINT BEING LOCATED ON THE EAST RIGHT OF WAY LINE OF THE EXISTING STREET AS NOW LOCATED); THENCE NORTH 25°03' EAST 226.22 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF THE EXISTING STREET AS NOW LOCATED; THENCE EASTERLY ALONG THE SAID SOUTH RIGHT OF WAY LINE OF SAID STREET SOUTH 64°57' EAST 161.7 FEET; THENCE SOUTH 12°51'28" WEST 332.45 FEET TO THE NORTH RIGHT OF WAY LINE OF MISSOURI HIGHWAY #76 AS NOW LOCATED; THENCE ALONG SAID NORTHERLY RIGHT OF WAY LINE OF HIGHWAY #76 NORTH 84°34' WEST 200 FEET; THENCE FROM SAID POINT ON THE EASTERLY RIGHT OF WAY LINE OF SAID STREET AS NOW LOCATED AND ON SAID NORTHERLY RIGHT OF WAY LINE OF HIGHWAY #76 NORTH 5°26' EAST 129.62 FEET ALONG THE EASTERLY RIGHT OF WAY LINE OF THE EXISTING STREET AS NOW LOCATED; THENCE CONTINUE ALONG THE EASTERLY RIGHT OF WAY LINE OF SAID EXISTING STREET NORTH 25°03' EAST 43.78 FEET TO THE POINT OF BEGINNING, ALL IN TANEY COUNTY, MISSOURI, AND SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.#

**Branson Planning Commission
Staff Report and Recommendation
Project No. SU20-6 (20-000006)**

LOCATION: 2527 STATE HIGHWAY 248

OWNER/APPLICANT: US FLANSON CULTURAL ENTERTAINMENT, LLC/MICHAEL MAIROT

ITEM/SUBJECT: REQUEST FOR A SPECIAL USE PERMIT TO OPERATE A CAMPGROUND AND VEHICLE PARK WITHIN THE PROPERTY LOCATED AT 2527 STATE HIGHWAY, BRANSON, MISSOURI.

DATE: JULY 7, 2020

INITIATING DEPARTMENT: ADMINISTRATION AND PLANNING AND DEVELOPMENT

APPROVED BY:



Director of Planning & Development

June 26, 2020

Date

STAFF REPORT:

REQUEST:

- Michael Mairot requests a Special Use Permit on behalf of U.S. Flanson Cultural Entertainment, LLC

BACKGROUND:

- Address is 2527 State Highway 248
- 24 Acres located on the west side of State Highway 248 approximately 1,475 feet north of Shepherd of the Hills Expressway
- The primary feature on this site is a 170,000 plus square-foot theater
- Nine acres of parking is included on the site which is only accessible from State Highway 248
- The property is zoned Community Commercial District (CC)
- Former occupants/activities of site include: Mel Tillis Theater (and home apartment), Tri-Lakes Center, Branson Events Center

INTENT:

- Intent of permit is to operate a campground and vehicle park with two 46.5 foot long by 8 foot wide sleeping quarters for staff (entertainers)
 - The Unified Development Code (Chapter 94) defines a campground and vehicle park as any parcel or tract of land upon which two or more campsites (a portion of the rentable space of a campground having an area 580 square feet or more) are occupied, or intended to be occupied, for overnight camping
- Sleeping quarters are located in a 0.3 acre secured parking area on the south side of the theater
- This set up is similar to modern day Capsule or Pod Hotels and Hostels commonly found in Europe and Asia. The sleeping quarters are separate but amenities such as toilets, showers, kitchens, are communally shared. The amenities are located in Mel Tillis' former apartment home which is adjacent to the two sets sleeping quarters. This apartment home is also the common area for inside recreation activities with a basketball court outside.

SUMMARY:

- Tourism is the center of gravity for the City of Branson. It is critical for the city to assist the tourism industry at every feasible, acceptable, and suitable point in time and space.

STAFF RECOMMENDATION:

Staff recommends approval of Resolution 20-1.2 based on the following conditions:

1. This Special Use Permit is not transferrable in any manner and therefore shall not be transferred from owner to owner. If US Flanson Cultural Entertainment, LLC ceases operation for six (6) months or more, this Special Use Permit shall be null and void; and,
2. The installation and activities covered by the Special Use Permit shall be in accordance with all applicable city, state, and federal requirements; and,
3. A maximum of two spaces for recreational vehicles, or campsites, shall be allowed within the existing parking area located to the south of the existing building; and,
4. Necessary utilities shall be permanently installed for each campsite; and,
5. Any recreational vehicle shall not occupy any campsite longer than nine months within a twelve month period, and the number of occupants within each recreational vehicle shall not exceed the limits established by the manufacturer or the building codes as adopted by the City; and,
6. The applicant shall apply for and receive a business license from the City of Branson prior to any business operations and that license shall remain in good standing; and,
7. If all conditions of this Resolution authorizing the issuance of this Special Use Permit are not acted upon on or before July 7, 2021, this Special Use Permit shall be null and void.

MUNICIPAL CODE REGULATIONS:

The following regulations should be considered by the Commission in formulating a decision:

Branson Municipal Code Section 94-16. Special uses.

(a) Permit Required

A special use permit shall be required from the Planning Commission for any use listed as a special use in any zoning district, and for any use not listed in any zoning district. A special use permit in review is intended to allow the establishment of uses that have a special impact, uniqueness, or effect on the neighborhood surrounding the subject site.

(b) Review and Approval Criteria

In considering a special use, the Planning Commission shall consider the location and design of the proposed use, configuration of improvements, potential impacts on the surrounding neighborhood, and that development in each zoning district protects the integrity of that district, and following a hearing, the commission shall record the decision in writing and shall recite the findings upon which the decision is based.

The commission may approve or modify a special use permit application in whole, or in part with conditions, only if all the following findings are made:

- (1) The proposed use is conditionally permitted within, and would not impair the integrity and character of the intended purpose of the subject zoning district, and complies with all of the applicable provisions of this chapter;*
- (2) The proposed use is consistent with the Community Plan 2030;*

- (3) *There will be no significant negative effects upon environmental quality and natural resources that could not be properly mitigated and monitored;*
- (4) *The design, location, size, and operating characteristics of the proposed use are compatible with the existing and future land uses within the general area in which the proposed use is to be located, and will not create significant noise, traffic, or other conditions or situations that may be objectionable or detrimental to other permitted uses in the vicinity, or adverse to the public interest, health, safety, convenience or welfare of the city;*
- (5) *The subject site is physically suitable for the type and density/intensity of use being proposed; and*
- (6) *There are adequate provisions for public access, water, sanitation, and public utilities and services to ensure that the proposed use would not be detrimental to the public health and safety.*

COMMENTS:

No additional comments were provided by any other departments relating to the applicant's request.

ATTACHED INFORMATION:	1)	Special Use Application
	2)	Vicinity Maps

ATTACHMENT 1



SPECIAL USE APPLICATION

110 W. Maddux St., Ste. 215, Branson, MO 65616
417-337-8549/Fax 417-334-2391

SUPA <u>20-10.02</u>
Date Applied <u>3/4/2020</u>

Property Information

911 Property Address 2527 State Hwy 248, Branson MO 65616

Property Owner Jien Fu Owner is applicant

Contact Name Michael Mairot (GM) Email henanglobalentertainment@gmail.com

Mailing Address 2527 State Hwy 248, Branson MO 65616 Phone 4076259766

Agent Information (if different from property owner)

Name same as above Email _____

Mailing Address same as above Phone _____

Additional Required Information

- Check box below that corresponds with your request.
 - New Special Use Permit (\$1,019)
 - Amend existing Special Use Permit (\$1,019)
- Project name: Encore Theater Branson (US Flanson Cultural Entertainment LLC) -DBA Henan Global Entertainment corp
DBA ENCORE THEATER BRANSON
- Requested use: _____
- Attach any relevant information such as a written description, site plans, graphics, photos and other documentation.
- Attach a recent copy of the **WARRANTY DEED/DEED OF TRUST** and check the appropriate box below:
 - No deed restrictions
 - A list of **DEED RESTRICTIONS** have been attached to application.

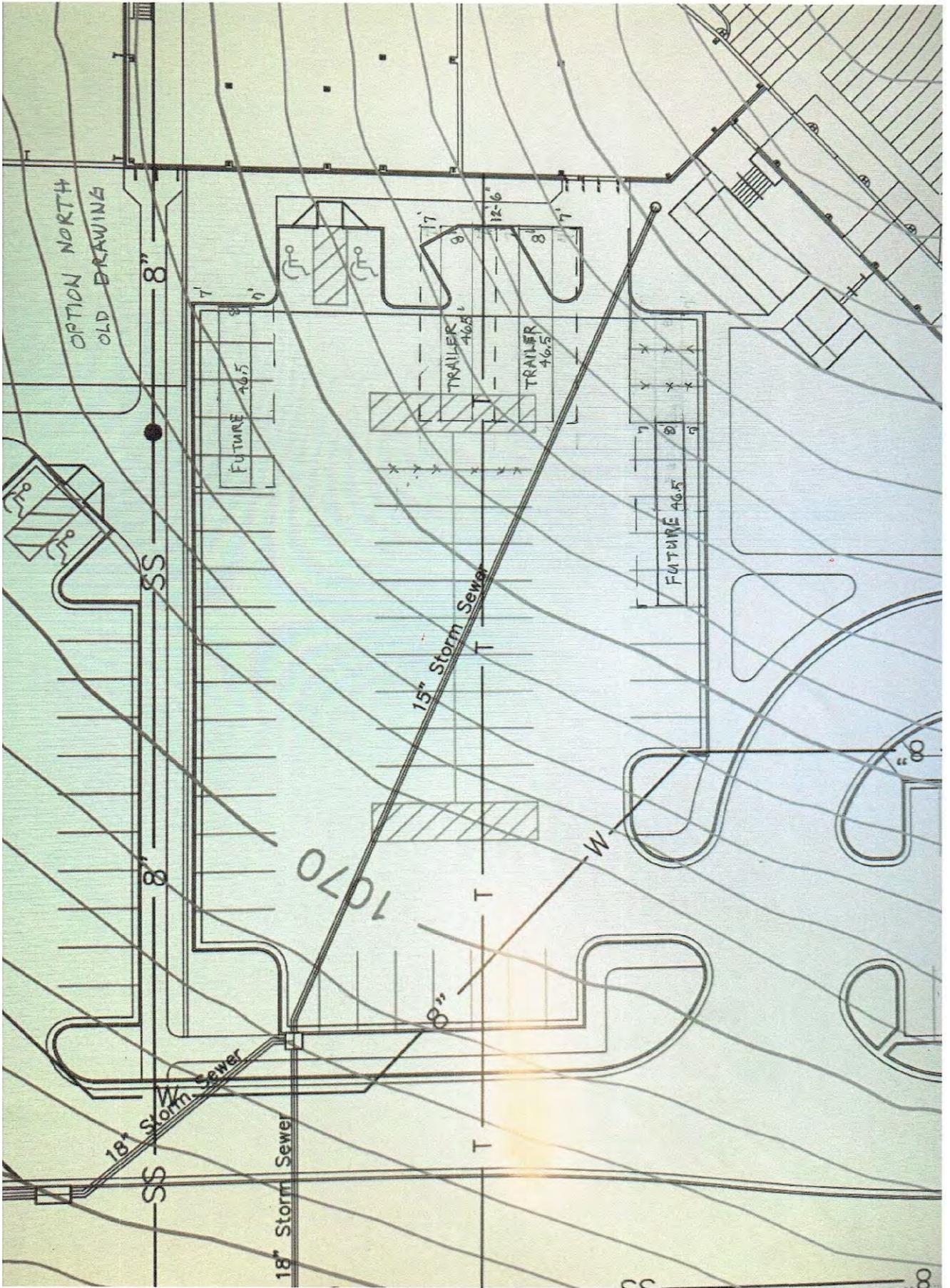
In signing this application, the applicant acknowledges all information provided is complete and accurate. The applicant

Property Owner / Agent Acknowledgement

also agrees to abide by the regulations of the Branson Municipal Code:

<u></u> Property Owner Original Signature	<u>Jien Fu</u> Print Name	<u>2/15/2020</u> Date
<u></u> Agent Original Signature	<u>Michael Mairot</u> Print Name	<u>3-4-20</u> Date

OFFICE USE ONLY					
✓	Description	Comments	✓	Description	Comments
	Warranty Deed/Deed of Trust			Public notice date	
				Public hearing date	
				Additional fees paid	
				Staff Initials	





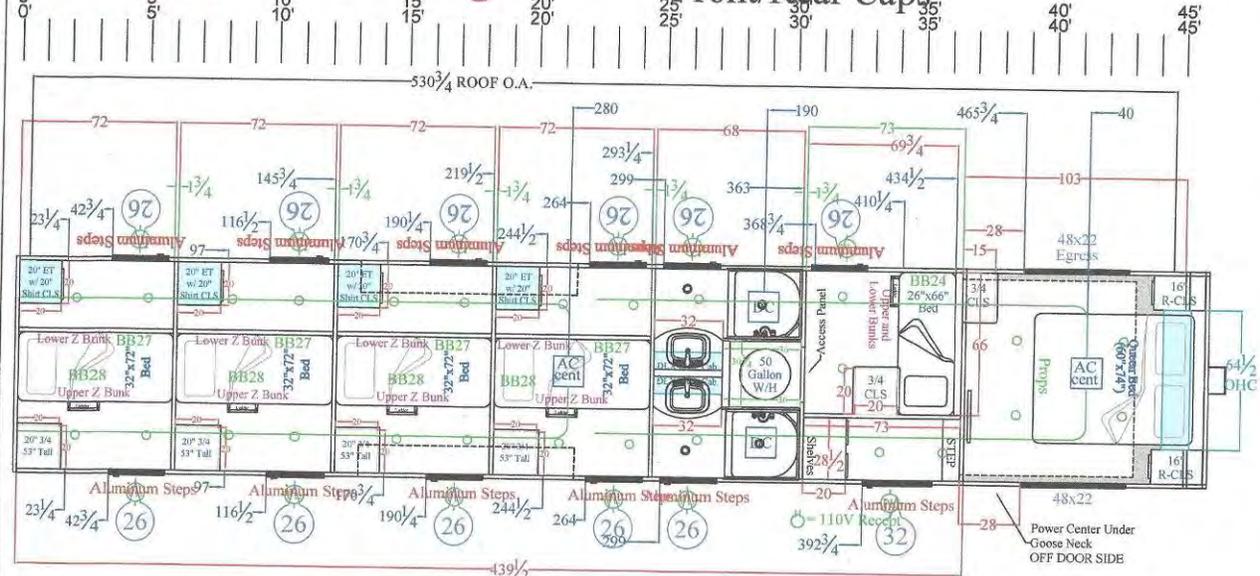
27221-45FWBH-(OPEN)

8/21/2019 4:13:02 PM

Frame	Axle ϕ	Total Length	Rear Rails		Rear Front Of Wheel Wells		Front Rails		
5th Wheel		Floor	Sidewall	Floor	Sidewall	Floor	Sidewall	Floor	Sidewall
45' Triple	231"	441"	439 1/4"	159 1/2"	159"	259 1/2"	257"	181 1/2"	182 1/4"

Gel-Coat 96" Ceiling

Front/Rear Caps



Recreation By Design

Deposits are required on all orders
Deposits are NOT refundable after
production starts on your order.

Recreation By Design, LLC claims exclusive rights to the information documented herein. Manufacture of material shown, in part or in full, is prohibited by law without the express written consent of Recreation By Design, LLC

Signature:	8-21-2019
Customer: OPEN	Serial #: 27221
Model: 45FWBH	

ATTACHMENT 2: VICINITY MAPS - AERIAL



Legend

- Sanitary Sewer Manholes
- Liftstation
- Sewer Gravity Mains
- Sewer Pressurized Mains
- Water Hydrants
- ▲ Water System Valves
- Water Mains
- STORM INLET STRUCTURES
- ▼ STORM INTAKE STRUCTURES
- STORM OUTFALL STRUCTURES
- STORM_SEWER_PIPE
- DISTRIBUTION
- TRANSMISSION

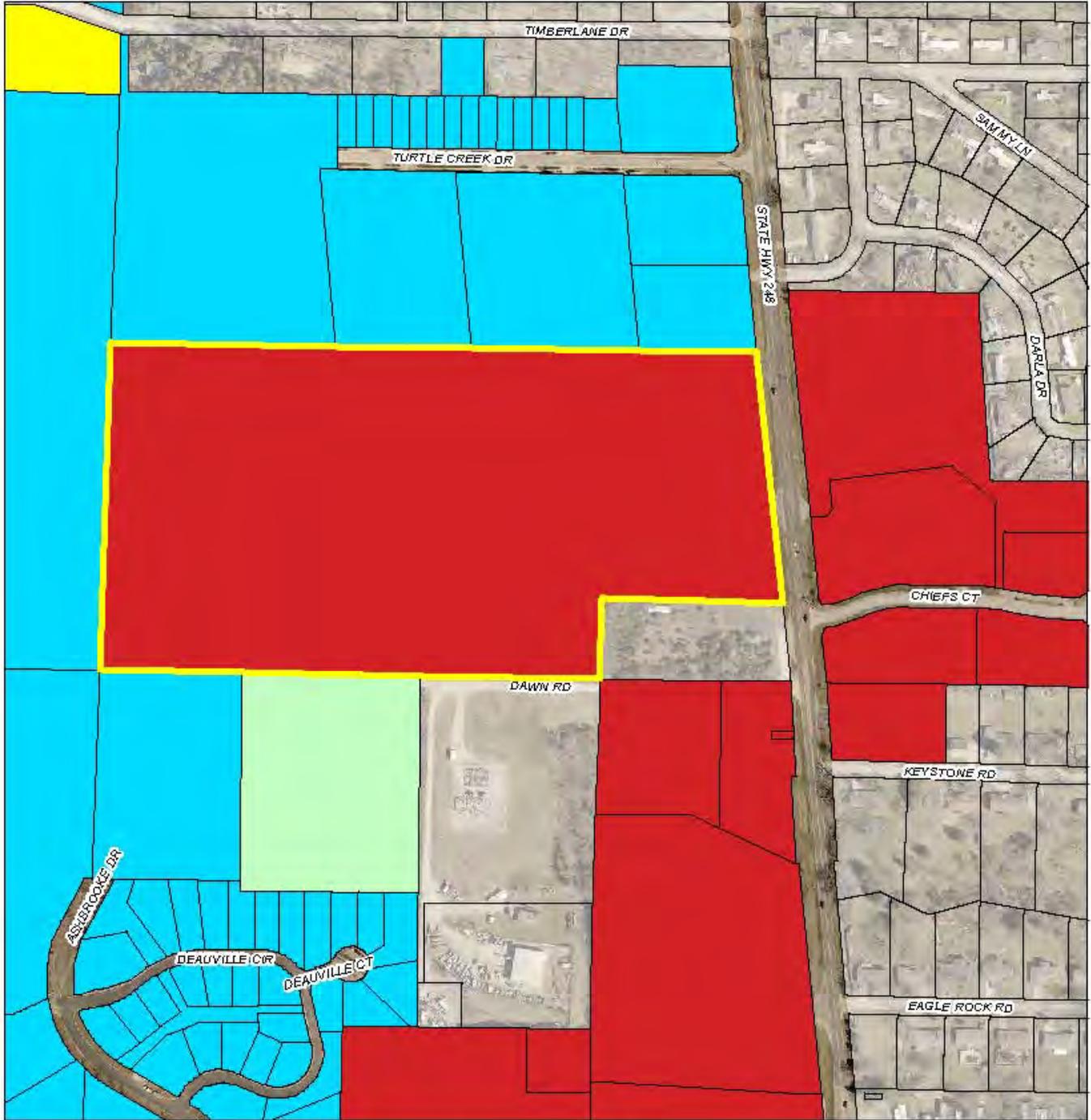


1 inch = 300 feet

City of Branson
 Planning & Development
 Date: 3/10/2020

2527 State Hwy 248

VICINITY MAPS - CURRENT ZONING



2527 State Hwy 248

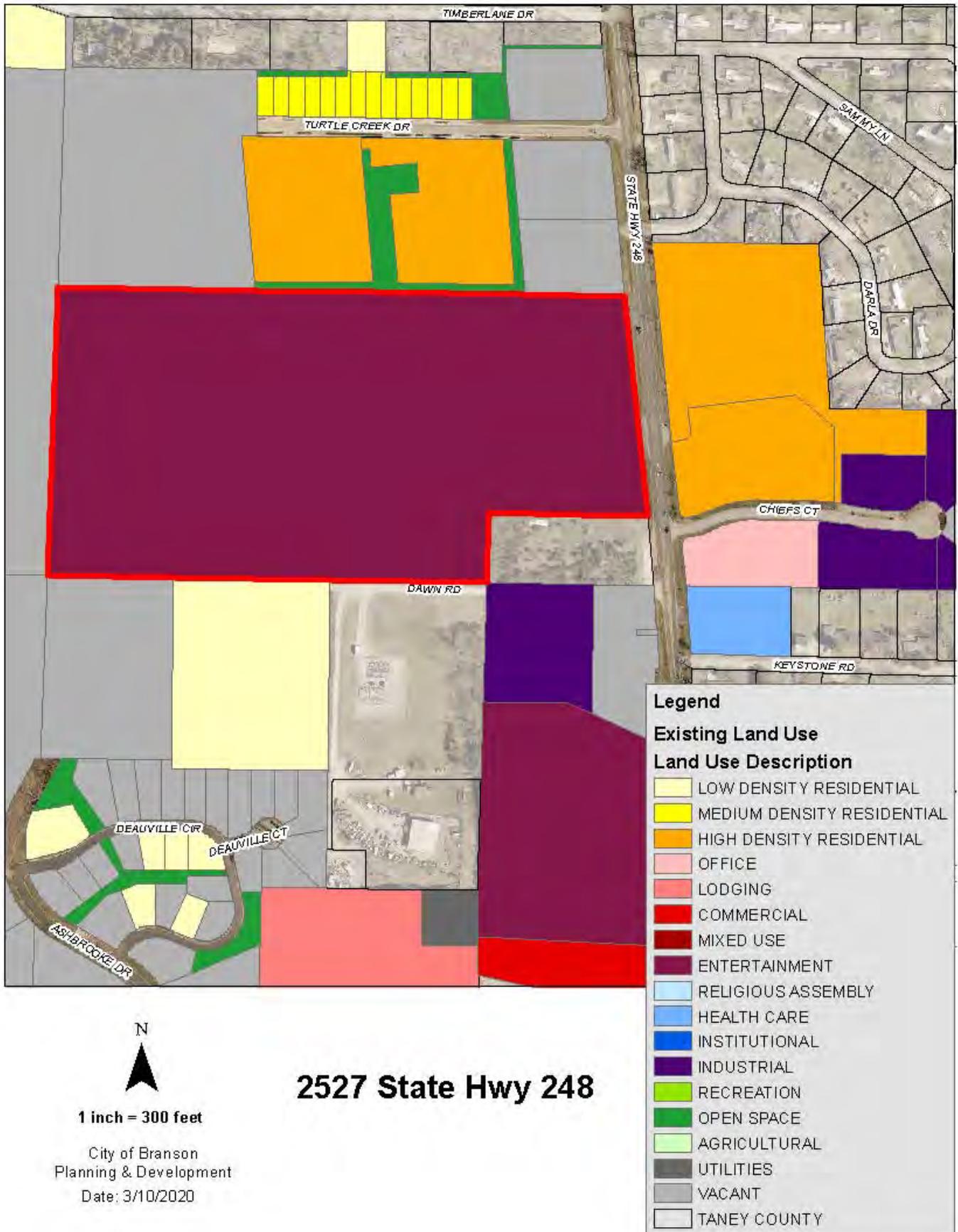


1 inch = 300 feet

City of Branson
 Planning & Development
 Date: 3/10/2020

- | | | |
|----------------------------|-------------------------|---------------------|
| Agricultural | Neighborhood Commercial | Business |
| Conservation | Mixed-Use | Industrial |
| Low Density Residential | Community Commercial | Planned Development |
| Medium Density Residential | Downtown | Unzoned |
| High Density Residential | Entertainment | |

VICINITY MAPS - CURRENT LAND USE



Legend

Existing Land Use

Land Use Description

[Yellow]	LOW DENSITY RESIDENTIAL
[Light Yellow]	MEDIUM DENSITY RESIDENTIAL
[Orange]	HIGH DENSITY RESIDENTIAL
[Pink]	OFFICE
[Light Red]	LODGING
[Red]	COMMERCIAL
[Dark Red]	MIXED USE
[Maroon]	ENTERTAINMENT
[Light Blue]	RELIGIOUS ASSEMBLY
[Blue]	HEALTH CARE
[Dark Blue]	INSTITUTIONAL
[Purple]	INDUSTRIAL
[Light Green]	RECREATION
[Dark Green]	OPEN SPACE
[Lightest Green]	AGRICULTURAL
[Grey]	UTILITIES
[Light Grey]	VACANT
[White]	TANEY COUNTY

N

 1 inch = 300 feet
 City of Branson
 Planning & Development
 Date: 3/10/2020

2527 State Hwy 248

VICINITY MAPS - ORTHOMETRIC IMAGES



VIEW FROM THE NORTH



VIEW FROM THE EAST



VIEW FROM THE SOUTH



VIEW FROM THE WEST

PLANNING COMMISSION

RESOLUTION NO. SU20-6 (20-000006)

A PLANNING COMMISSION RESOLUTION AUTHORIZING THE PLANNING AND DEVELOPMENT DIRECTOR TO ISSUE A SPECIAL USE PERMIT TO OPERATE A CAMPGROUND AND VEHICLE PARK WITHIN THE PROPERTY LOCATED AT 2527 STATE HIGHWAY 248, BRANSON, MISSOURI.

WHEREAS, a Special Use Application has been submitted to the City of Branson by Michael Mairot on behalf of US Flanson Cultural Entertainment, LLC to operate a campground and vehicle park within the property legally described as follows:

See Exhibit "A"

WHEREAS, the Zoning Regulations for the City of Branson, Missouri, require a Public Hearing before the Planning Commission for the approval of a Special Use Permit; and,

WHEREAS, a Public Hearing was held before the Branson Planning Commission on July 7, 2020, at 7:00 PM in the City Council Chambers located at 110 W. Maddux Street, Branson, Missouri; and,

WHEREAS, all required documentation and payment of the required filing fee have been received by the City of Branson.

BE IT THEREFORE RESOLVED, that the Planning Commission for the City of Branson hereby authorizes the Planning and Development Director to issue a Special Use Permit to operate a campground and vehicle park within the property located at 2527 State Highway 248, Branson, Missouri, upon certification by the appropriate departments of the City that the following conditions have been satisfactorily completed:

1. This Special Use Permit is not transferrable in any manner and therefore shall not be transferred from owner to owner. If US Flanson Cultural Entertainment, LLC ceases operation for six (6) months or more, this Special Use Permit shall be null and void; and,
2. The installation and activities covered by the Special Use Permit shall be in accordance with all applicable city, state, and federal requirements; and,
3. A maximum of two spaces for recreational vehicles, or campsites, shall be allowed within the existing parking area located to the south of the existing building as shown and described within Exhibit "B", attached hereto and incorporated by reference herein; and,
4. Necessary utilities shall be permanently installed for each campsite; and,
5. Any recreational vehicle shall not occupy any campsite longer than nine months within a twelve month period, and the number of occupants within each recreational vehicle shall not exceed the limits established by the manufacturer or the building codes as adopted by the City; and,
6. The applicant shall apply for and receive a business license from the City of Branson prior to any business operations and that license shall remain in good standing; and,

7. If all conditions of this Resolution authorizing the issuance of this Special Use Permit are not acted upon on or before July 7, 2021, this Special Use Permit shall be null and void.

DONE THIS 7TH DAY OF JULY, 2020, BY THE PLANNING COMMISSION FOR THE CITY OF BRANSON, MISSOURI.

Clark Harris - Chairperson

ATTEST:

Joel Hornickel – Planning and Development Director

EXHIBIT "A"

A PART OF THE S $\frac{1}{2}$ OF LOTS L AND 2 OF THE SW $\frac{1}{4}$ OF SECTION 19, TOWNSHIP 23 NORTH, RANGE 21 WEST, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 19, SAID POINT BEING AN EXISTING 5/8" IRON PIN; THENCE N 00°19'33" W ALONG THE WEST LINE THEREOF, 744.08 FEET; THENCE N 87°41'50" E 1459.76 FEET TO A POINT ON THE WESTERLY R/W OF MISSOURI STATE HIGHWAY NO. 248 (FORMERLY U.S. 65); THENCE S 08°03'35" E ALONG R/W 582.14 FEET TO AN EXISTING 5/8" IRON PIN; THENCE S 88°05'18" W, 398.96 FEET, TO A POINT ON THE WEST LINE OF THE S $\frac{1}{2}$ OF LOT 1 OF SAID SW $\frac{1}{4}$; THENCE S 01°10'51" E ALONG WEST LINE, 175.00 FEET, TO THE SOUTHWEST CORNER OF SAID S $\frac{1}{2}$ OF LOT L OF THE SW $\frac{1}{4}$. (SAID POINT BEING MARKED BY AN EXISTING $\frac{1}{2}$ " IRON PIN); THENCE S 88°05'47" W ALONG THE SOUTH LINE OF SAID LOT2 OF THE SW $\frac{1}{4}$. 1141.47 FEET TO THE POINT OF BEGINNING; CONTAINING 23.86 ACRES, MORE OR LESS.

**Branson Planning Commission
Staff Report and Recommendation
Project No. ZO20-2 (20-000002)**

LOCATON: 150 GUNNER HILL LANE

OWNER/APPLICANT: TABLE ROCK AT BRANSON INC/TODD CHANDLER

ITEM/SUBJECT: REQUEST FOR HIGH DENSITY RESIDENTIAL (HDR) ZONING FOR THE PROPERTY LOCATED AT 150 GUNNER HILL LANE, BRANSON, MISSOURI.

DATE: JULY 7, 2020

INITIATING DEPARTMENT: PLANNING & DEVELOPMENT

COMMUNITY PLAN 2030: LU 5.3. *Zone all un-zoned properties within city limits.*

APPROVED BY:



Director of Planning & Development

JUNE 26, 2020

Date

STAFF REPORT:

A Zoning Application has been received from Todd Chandler of Cribb Philbeck Weaver Group, Inc. on behalf of Table Rock at Branson, Inc, requesting High Density Residential (HDR) zoning for property located at 150 Gunner Hill Lane. The property is located on the west side of State Highway 265, at the intersection of Gunner Hill Lane. The adjacent properties which are within the city limits of Branson are zoned HDR. The southern portion of this parcel is currently proposed to be developed with nightly rentals, similar to the development to the south, Lodges at Chateau Cove.

The property owner requested annexation into the City on January 16, 2020, and the petition for annexation was formally presented to the Board of Alderman on January 28, 2020. The Board of Aldermen approved the first reading for the request on February 11, 2020, and the final reading on February 25, 2020. This request is to now establish zoning for the property which is reflective of the proposed use of the property and complimentary to the adjacent properties as opposed to Agriculture (A) zoning per Branson Municipal Code Section 94-34. Because this property was not within the city limits at the time, it was not included in the Community Plan 2030's Preferred Land Use Plan (Figure 10).

STAFF RECOMMENDATION:

Staff recommends approval of Resolution 20-2.

COMMENTS:

No additional comments were provided by any other departments relating to the applicant's request.

ATTACHED INFORMATION:

- 1) Zoning Application
- 2) Vicinity Maps
- 3) Preferred Future Land Use Plan (Figure 10)

PLANNING & DEVELOPMENT DEPARTMENT

PLANNING & ZONING | BUILDING PERMITS | SIGN PERMITS



Zoning - Zoning Request
Address:
Description: Gunner Hill Zoning

ZO20-000002

Application Date: 06/05/2020

Application Information*:

Applicant Name	Todd Chandler
Applicant Email	todd.chandler@MadridCPWG.com
Applicant Address	231 Rockpoint Drive Walnut Shade MO 65771
Applicant Company Name	Cribb Philbeck Weaver Group, Inc
Applicant Company Address	301 West Pacific Street Suite B Branson MO 65616
Applicant Home Phone	
Applicant Cell Phone	(816) 519-1601
Applicant Work Phone	(417) 320-6065
Are you the property owner?	No
Would you like to add additional team members?	Yes
Additional Team Member 1 Name	Todd Chandler
Additional Team Member 1 Email	todd.chandler@MadridCPWG.com
Additional Team Member 1 Address	231 Rockpoint Drive Walnut Shade MO 65771
Additional Team Member 1 Company Name	Cribb Philbeck Weaver Group, Inc
Additional Team Member 1 Company Address	301 West Pacific Street Suite B Branson MO 65616
Additional Team Member 1 Home Phone	
Additional Team Member 1 Cell Phone	(816) 519-1601
Additional Team Member 1 Work Phone	(417) 320-6065
zoning district	HDR
Current use of property	Vacant
Proposed use of property	Cabins
Plan Revision Cycle	00 - Original Document Resubmittal



Property Owner Acknowledgement

In signing this acknowledgement, the property owner supports the request and agrees that all information provided is complete and accurate. The property owner also agrees to abide by the regulations of the Branson Municipal Code and understands they may be held responsible for any violation.

Property address: TBD Gunner Hill Road, Branson, MO 65616

Table Rock at Branson Inc
[Signature] Daniel C Ruda 6/10/2020
Property Owner Signature Print Name Date
President

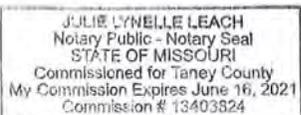
STATE OF Missouri)
COUNTY OF Janez) SS.

On this 10th day of June, 20 20, before me personally appeared Daniel C Ruda, to me known to be the property owner described in and who executed the foregoing application, and acknowledged that he/she executed the same as his/her free act and deed.

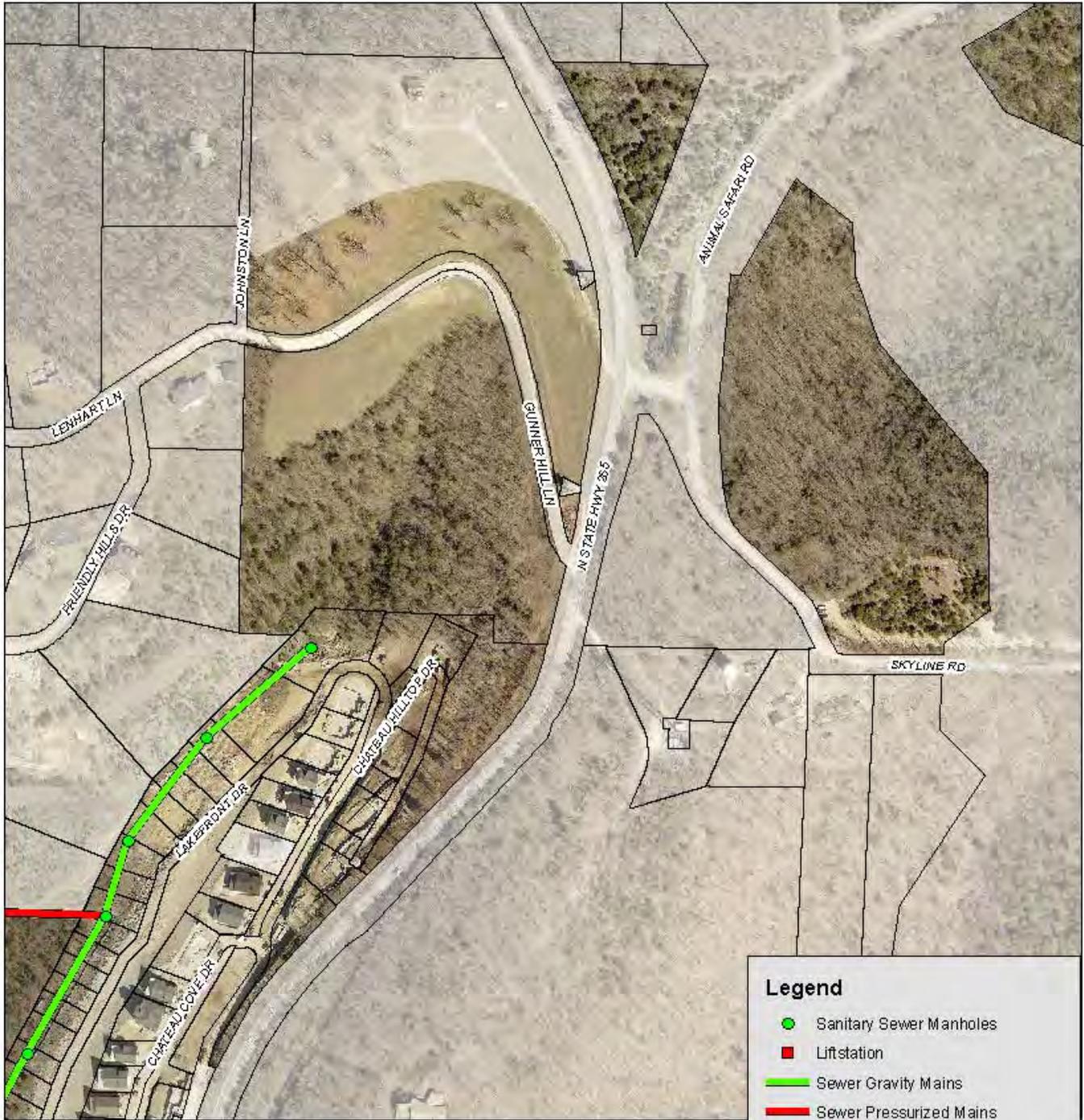
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at my office in Branson, Missouri the day and year first above written.

/s/ [Signature]
Notary Public

My term expires: June 16, 2021



VICINITY MAPS - AERIAL



1 inch = 300 feet

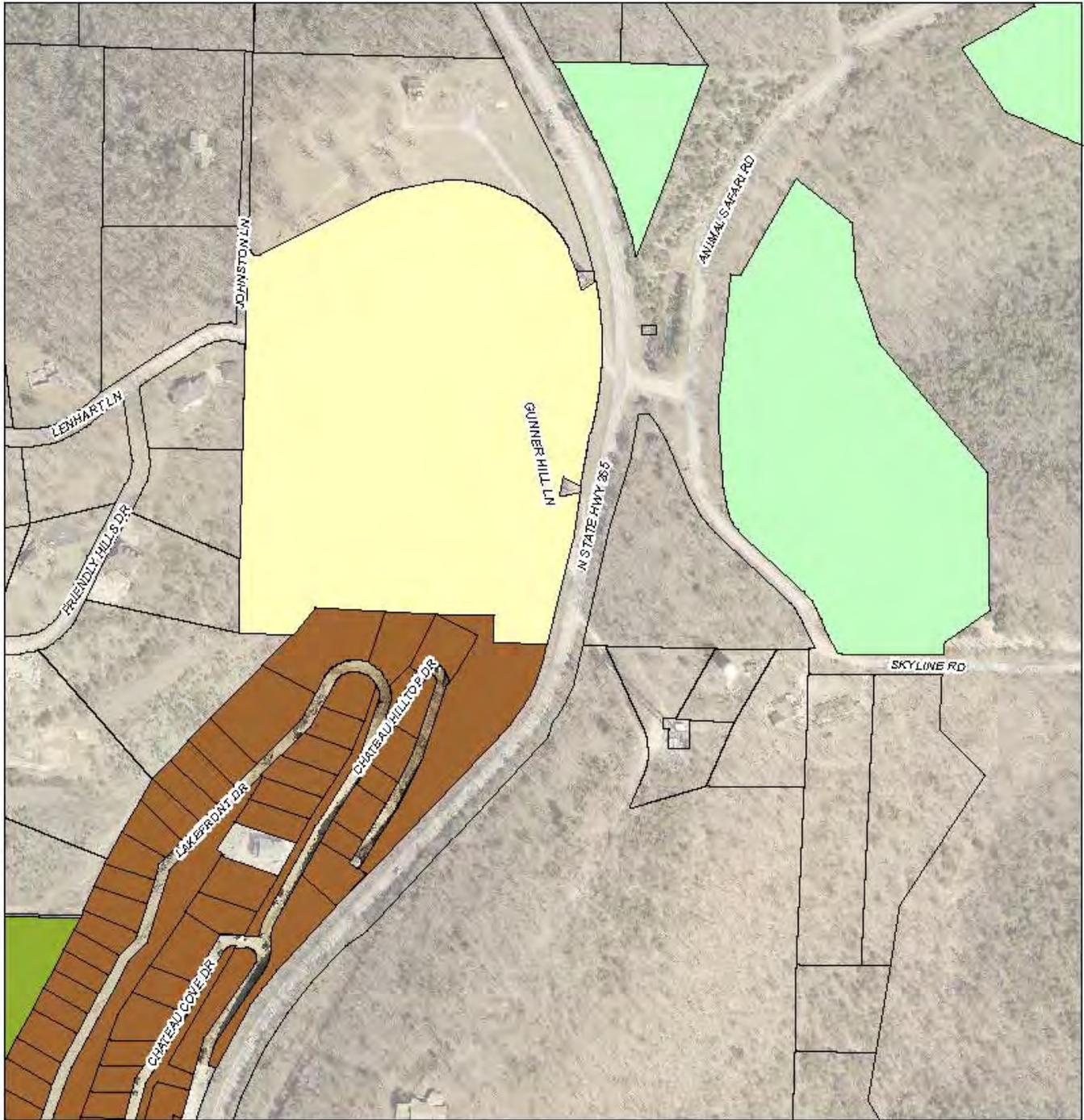
City of Branson
 Planning & Development
 Date: 6/18/2020

150 Gunner Hill Ln

Legend

- Sanitary Sewer Manholes
- Liftstation
- Sewer Gravity Mains
- Sewer Pressurized Mains
- Water Hydrants
- ▲ Water System Valves
- Water Mains
- STORM INLET STRUCTURES
- ▼ STORM INTAKE STRUCTURES
- STORM OUTFALL STRUCTURES
- STORM_SEWER_PIPE
- DISTRIBUTION
- TRANSMISSION

VICINITY MAPS - CURRENT ZONING



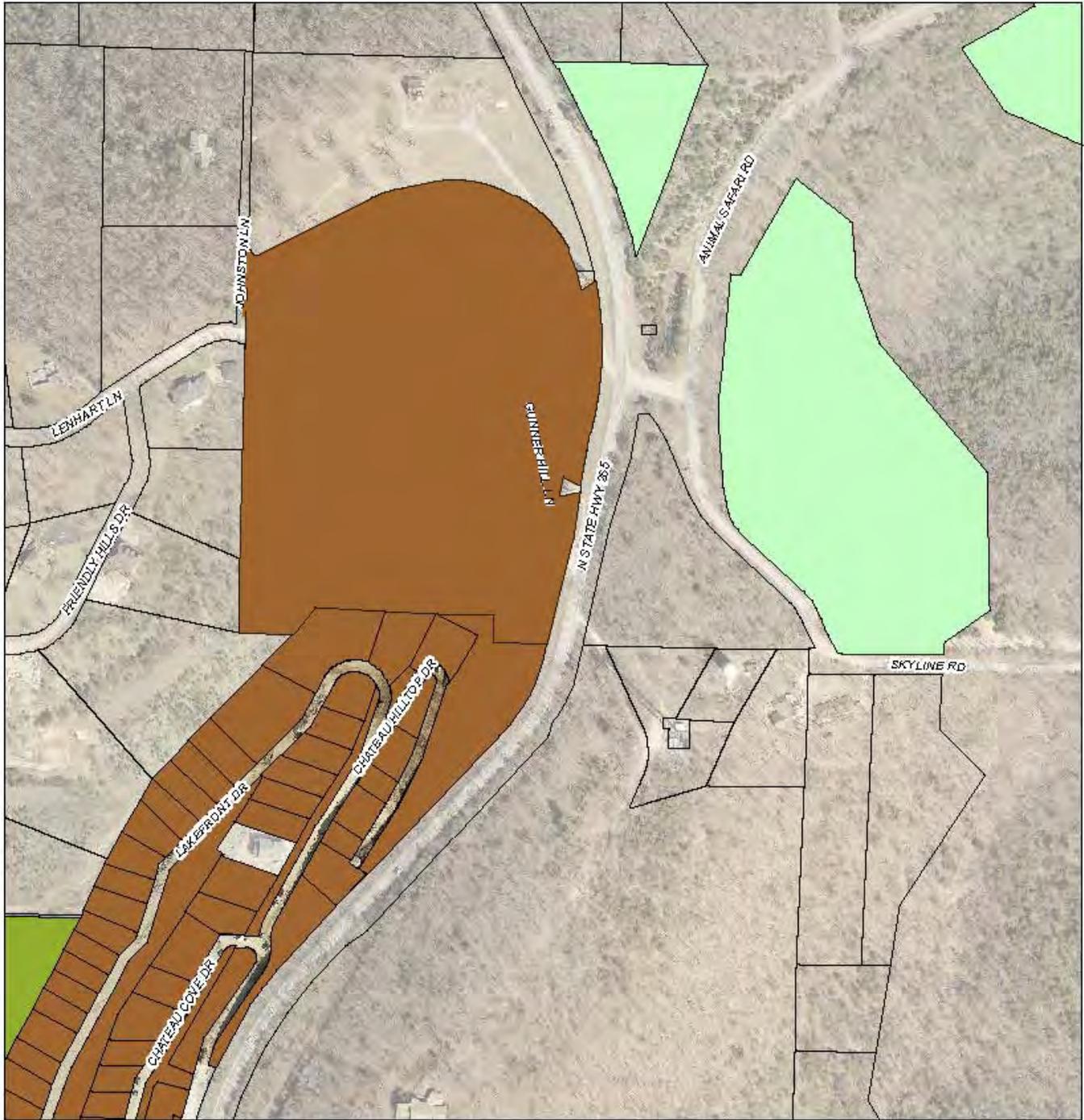
1 inch = 300 feet

City of Branson
 Planning & Development
 Date: 6/18/2020

150 Gunner Hill Ln

 Agricultural	 Neighborhood Commercial	 Business
 Conservation	 Mixed-Use	 Industrial
 Low Density Residential	 Community Commercial	 Planned Development
 Medium Density Residential	 Downtown	 Unzoned
 High Density Residential	 Entertainment	

VICINITY MAPS - PROPOSED ZONING



1 inch = 300 feet

City of Branson
 Planning & Development
 Date: 6/18/2020

150 Gunner Hill Ln



VICINITY MAPS - ORTHOMETRIC VIEWS



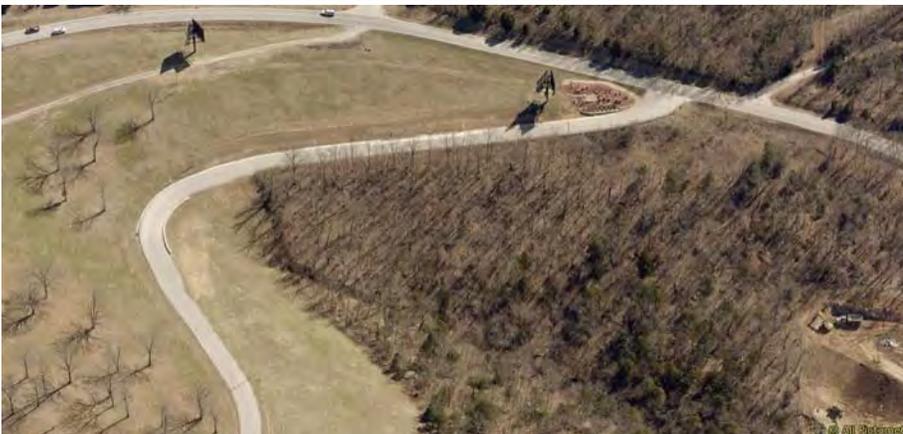
VIEW FROM THE NORTH



VIEW FROM THE EAST

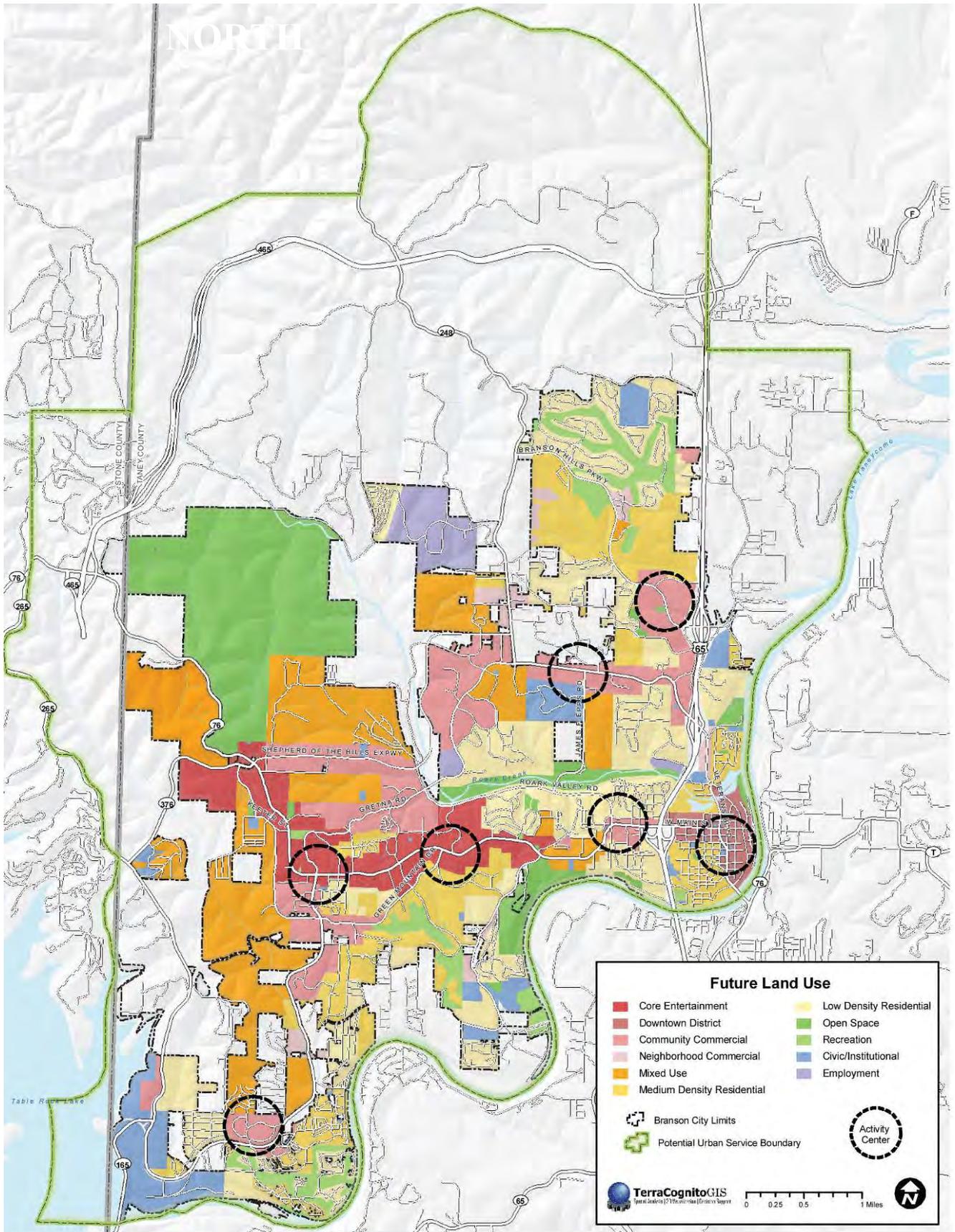


VIEW FROM THE SOUTH



VIEW FROM THE WEST

PREFERRED FUTURE LAND USE PLAN



PLANNING COMMISSION

RESOLUTION NO. ZO20-2 (20-000002)

A PLANNING COMMISSION RESOLUTION RECOMMENDING APPROVAL OF HIGH DENSITY RESIDENTIAL (HDR) ZONING FOR THE PROPERTY LOCATED AT 150 GUNNER HILL LANE, BRANSON, MISSOURI.

WHEREAS, a Zoning Application has been initiated by Todd Chandler of Cribb Philbeck Weaver Group, Inc. on behalf of Table Rock at Branson, Inc, LLC, for approval of High Density Residential (HDR) zoning for the property located at 150 Gunner Hill Lane, legally described as follows:

See Exhibit A

WHEREAS, the Zoning Regulations for the City of Branson, Missouri, require a Public Hearing before the Planning Commission for the approval of High Density Residential (HDR) zoning; and,

WHEREAS, a Public Hearing was held before the Planning Commission on July 7, 2020, at 7:00 PM in the Council Chambers located at 110 W. Maddux Street, Branson, Missouri; and,

WHEREAS, all required documentation and payment of the required filing fee have been received by the City of Branson.

BE IT THEREFORE RESOLVED, that the Planning Commission for the City of Branson hereby recommends approval of High Density Residential (HDR) zoning for the property located at 150 Gunner Hill Lane, Branson, Missouri.

DONE THIS 7TH DAY OF JULY 2020, BY THE PLANNING COMMISSION FOR THE CITY OF BRANSON, MISSOURI.

Clark Harris – Chairperson

ATTEST:

Joel Hornickel - Planning & Development Director

EXHIBIT 'A'

A TRACT OF LAND BEING LOCATED IN PART OF THE SW1/4 OF THE NE1/4 OF SECTION 10, TOWNSHIP 22 NORTH, RANGE 22 WEST, TANEY COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT AN EXISTING LIMESTONE MARKING THE SOUTHWEST CORNER OF THE SW1/4 OF THE NE1/4 OF SAID SECTION 10; THENCE N 01°25'58" E, ALONG THE WEST LINE OF SAID SW1/4 OF THE NE1/4, A DISTANCE OF 870.83 FEET; THENCE S 88°58'14" E, LEAVING SAID WEST LINE, A DISTANCE OF 4.00 FEET; THENCE SOUTHEASTERLY ALONG A NON-TANGENT CURVE TO THE LEFT 30.45 FEET (SAID CURVE HAVING A DELTA OF 116°19'19" A CHORD BEARING AND DISTANCE OF S 58°48'51" E, 25.49 FEET AND HAVING A RADIUS OF 15.00 FEET); THENCE N 63°01'30" E, A DISTANCE OF 277.62 FEET; THENCE NORTHEASTERLY ALONG A CURVE TO THE RIGHT 66.87 FEET (SAID CURVE HAVING A DELTA OF 14°37'26" AND HAVING A RADIUS OF 262.00 FEET); THENCE N 77°38'55" E, A DISTANCE OF 77.73 FEET; THENCE SOUTHEASTERLY ALONG A CURVE TO THE RIGHT 172.55 FEET (SAID CURVE HAVING A DELTA OF 37°44'06" AND HAVING A RADIUS OF 262.00 FEET); THENCE S 64°36'59" E, A DISTANCE OF 24.84 FEET; THENCE SOUTHEASTERLY ALONG A CURVE TO THE RIGHT 177.61 FEET (SAID CURVE HAVING A DELTA OF 38°50'28" AND HAVING A RADIUS OF 262.00 FEET); THENCE S 25°46'31" E, A DISTANCE OF 53.47 FEET; THENCE S 16°21'59" E, A DISTANCE OF 45.51 FEET; THENCE N 54°24'28" E, A DISTANCE OF 36.30 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF M.S.H.D. #265; ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF SAID M.S.H.D. #265 AS FOLLOWS: THENCE SOUTHERLY ALONG A NON-TANGENT SEGMENT OF A CURVE TO THE RIGHT 345.72 FEET (SAID SEGMENT HAVING A DELTA OF 22°08'02" A CHORD BEARING AND DISTANCE OF S 01°52'09" W, 343.58 FEET, AND HAVING A RADIUS OF 894.94 FEET); THENCE S 10°22'49" W, A DISTANCE OF 130.97 FEET; THENCE N 59°58'01" W, LEAVING SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 45.65 FEET; THENCE S 11°34'17" W, A DISTANCE OF 46.60 FEET; THENCE N 80°30'49" E, A DISTANCE OF 46.75 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF M.S.H.D. #265; ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF SAID M.S.H.D. #265 AS FOLLOWS: THENCE S 10°22'49" W, A DISTANCE OF 94.97 FEET; THENCE S 12°42'31" W, A DISTANCE OF 130.01 FEET; THENCE S 12°33'30" W, A DISTANCE OF 115.86 FEET, TO A POINT ON THE SOUTH LINE OF THE SW1/4 OF THE NE1/4; THENCE N 88°14'17" W, LEAVING WESTERLY RIGHT-OF-WAY LINE AND ALONG THE SOUTH LINE OF SAID SW1/4 OF THE NE1/4, A DISTANCE OF 121.17 FEET, TO A POINT ON THE NORTHERLY LINE OF THE AMENDED PLAT OF BUILDINGS 38, 41 AND 42 OF THE LODGES AT CHATEAU COVE, PHASE 6, AS PER THE RECORDED PLAT THEREOF, RECORDED IN PLAT BOOK/SLIDE L AT PAGES 529 AND 530, IN THE TANEY COUNTY RECORDERS OFFICE, TANEY COUNTY, MISSOURI; THENCE N 01°45'43" E, LEAVING SOUTH LINE OF THE SW1/4 OF THE NE1/4, ALONG SAID NORTHERLY BOUNDARY LINE, A DISTANCE OF 60.14 FEET, TO THE NORTHEAST CORNER OF SAID AMENDED PLAT, THE LODGES AT CHATEAU COVE PHASE 6; THENCE N 88°10'15" W, ALONG THE SAID NORTH LINE, AND ALONG THE NORTH LINE OF THE AMENDED PLAT OF BUILDINGS 14-17, 37 AND 43 OF THE LODGES AT CHATEAU COVE, PHASE 4, AS PER THE RECORDED PLAT THEREOF, RECORDED IN PLAT BOOK/SLIDE L AT PAGES 531 AND 532, IN THE TANEY COUNTY RECORDERS OFFICE, TANEY COUNTY, MISSOURI, A DISTANCE OF 407.63 FEET, TO THE NORTHWEST CORNER OF SAID AMENDED PLAT OF THE LODGES AT CHATEAU COVE, PHASE 4; THENCE S 42°10'06" W, ALONG THE WESTERLY LINE OF SAID AMENDED PLAT OF THE LODGES AT CHATEAU COVE, PHASE 4, A DISTANCE OF 79.61 FEET, TO A POINT ON THE SOUTH LINE OF THE SW1/4 OF THE NE1/4; THENCE N 88°14'17" W, ALONG SAID SOUTH LINE, A DISTANCE OF 125.21 FEET, TO THE POINT OF BEGINNING. TRACT CONTAINING 16.54 ACRES OF LAND, MORE OR LESS.

PLANNING COMMISSION

July 7, 2020

ROLL CALL

PUBLIC COMMENTS

REGULAR AGENDA ITEMS

1) Approve Minutes

(a) Planning Commission Regular Meeting

(May 5, 2020)

(b) Planning Commission Study Session

(June 2, 2020)

(C) Planning Commission Regular Meeting

(June 2, 2020)

2) Elections

(a) Chairperson

(b) Vice-Chairperson

OLD BUSINESS

3) ZONING REQUEST

135 LAKE FRONT DRIVE (LODGES AT CHATEAU COVE)

- Owner (Applicant): Cabana Homes, LLC (Darrell Hanson)
- Current Zoning: Agriculture (A)
- Applicant's Request: To establish zoning (HDR) for the property

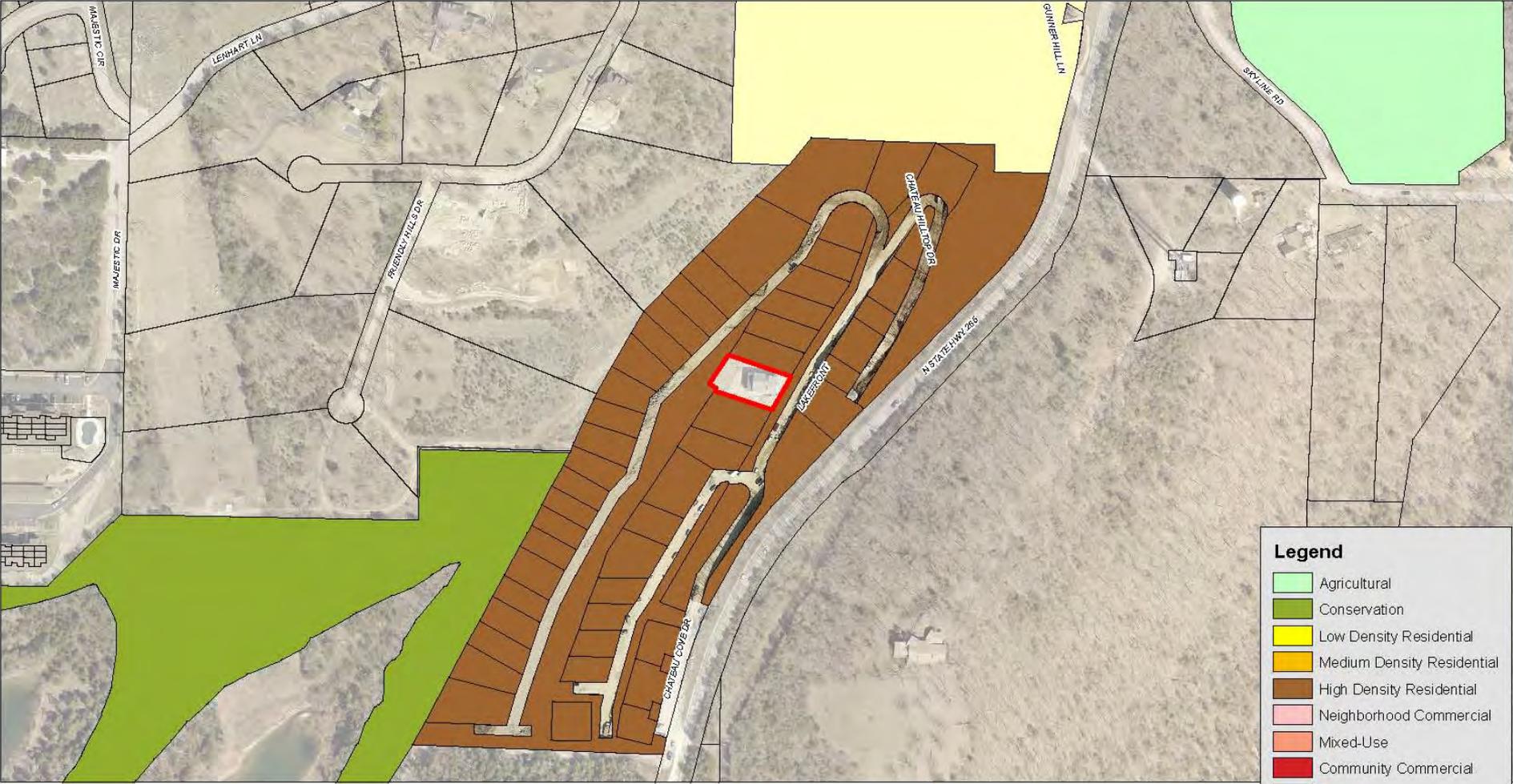




135 Lakefront Dr

Legend	
	Sanitary Sewer Manholes
	Liftstation
	Sewer Gravity Mains
	Sewer Pressurized Mains
	Water Hydrants
	Water System Valves
	Water Mains
	STORM INLET STRUCTURES
	STORM INTAKE STRUCTURES
	STORM OUTFALL STRUCTURES
	STORM_SEWER_PIPE
	DISTRIBUTION
	TRANSMISSION

N
 1 inch = 200 feet
 City of Branson
 Planning & Development
 Date: 5/12/2020



135 Lakefront Dr

Legend

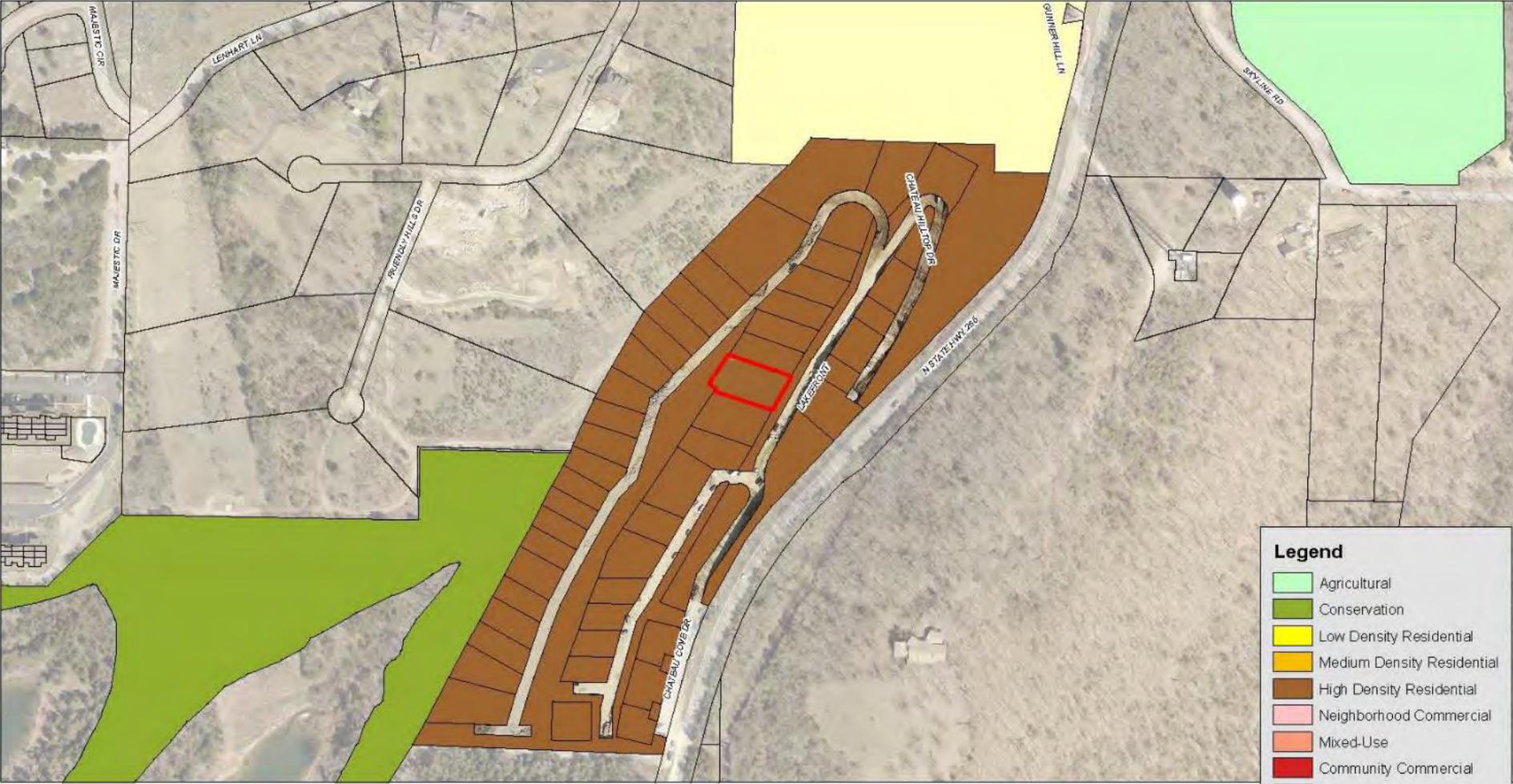
	Agricultural
	Conservation
	Low Density Residential
	Medium Density Residential
	High Density Residential
	Neighborhood Commercial
	Mixed-Use
	Community Commercial
	Downtown
	Entertainment
	Business
	Industrial
	Planned Development
	Unzoned

N



1 inch = 200 feet

City of Branson
 Planning & Development
 Date: 5/12/2020



135 Lakefront Dr

Legend

	Agricultural
	Conservation
	Low Density Residential
	Medium Density Residential
	High Density Residential
	Neighborhood Commercial
	Mixed-Use
	Community Commercial
	Downtown
	Entertainment
	Business
	Industrial
	Planned Development
	Unzoned

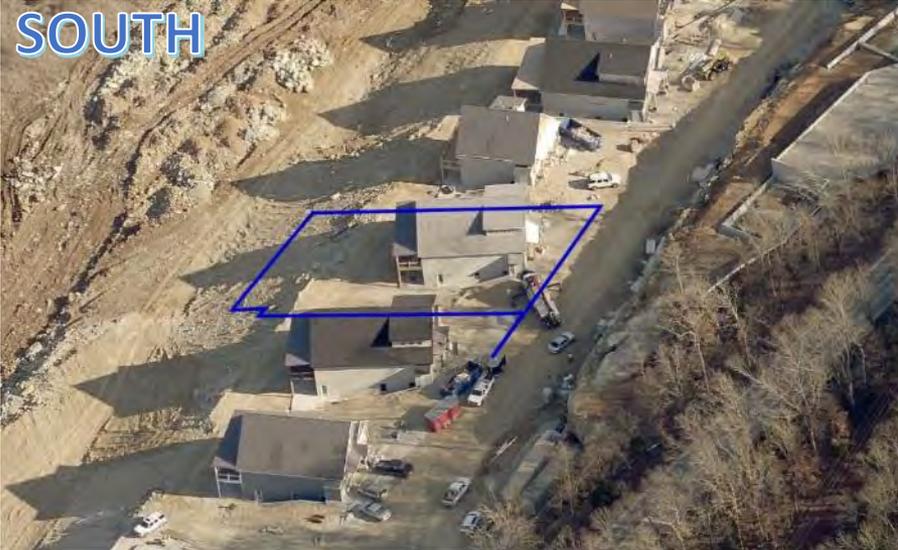
N



1 inch = 200 feet

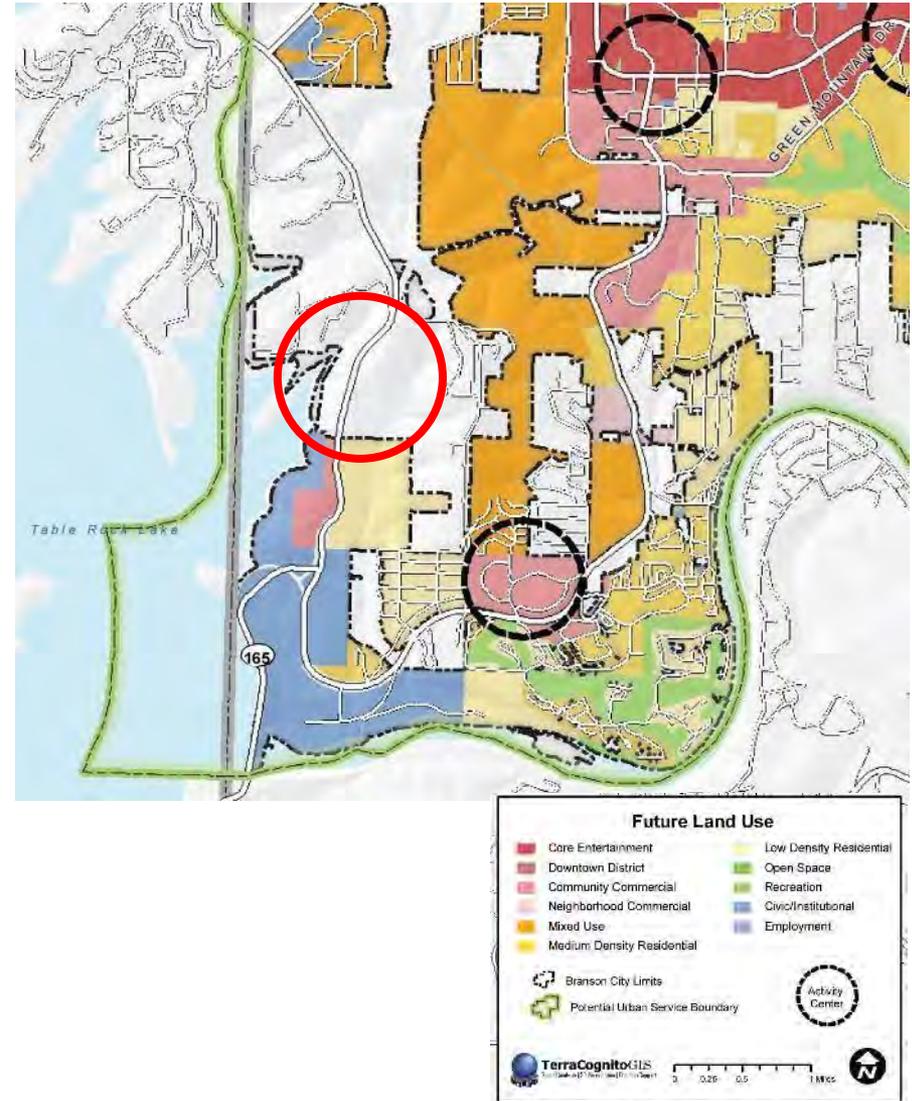
City of Branson
 Planning & Development
 Date: 5/12/2020

3) ZONING REQUEST



3) ZONING REQUEST

- 135 Lake Front Drive
 - Annexation
 - Requested: 5/11/2020
 - Petition: 5/26/2020
 - First Reading: 6/9/2020
 - Final Reading: 6/23/2020
 - Establish zoning which is reflective and complimentary of proposed use and adjacent uses
 - Not included in the Community Plan 2030's Preferred Land Use Plan (Fig. 10) but matches surrounding properties
 - Existing residential structure built for nightly rentals



3) ZONING REQUEST

STAFF RECOMMENDS APPROVAL.

4) SPECIAL USE PERMIT

1972 STATE HIGHWAY 165 (TERRACE PARKWAY)

- Owner (Applicant): Champagne 165 Properties, LLC
(Paul Wrablica - Telecom Realty Consultants, LLC)
- Current Zoning: Community Commercial (CC)
- Applicant's Request: To construct telecommunications tower





Legend	
●	Sanitary Sewer Manholes
■	Liftstation
—	Sewer Gravity Mains
—	Sewer Pressurized Mains
●	Water Hydrants
▲	Water System Valves
—	Water Mains
■	STORM INLET STRUCTURES
▼	STORM INTAKE STRUCTURES
■	STORM OUTFALL STRUCTURES
—	STORM_SEWER_PIPE
—	DISTRIBUTION
—	TRANSMISSION

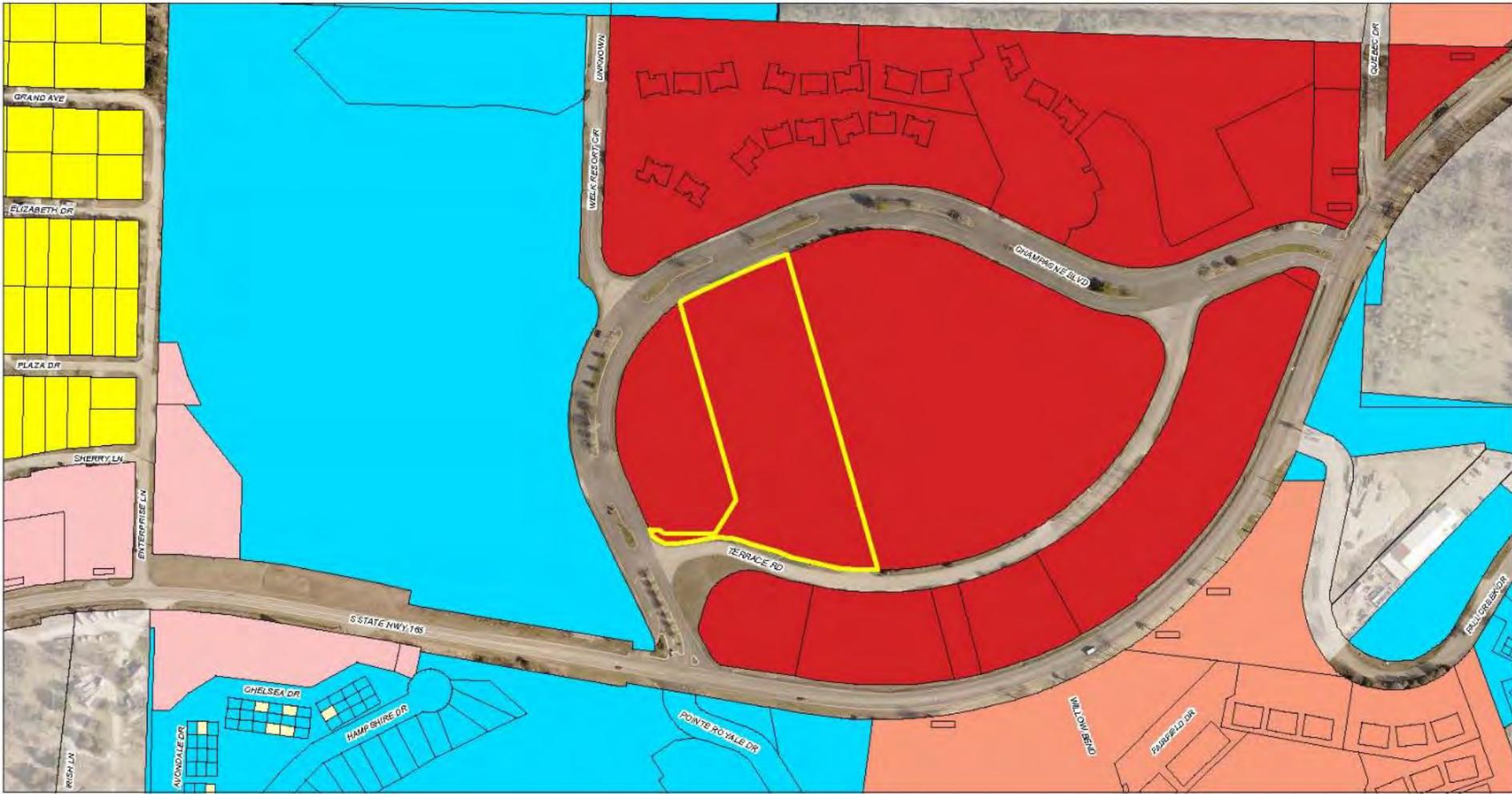
N



1 inch = 200 feet

City of Branson
 Planning & Development
 Date: 5/1/2020

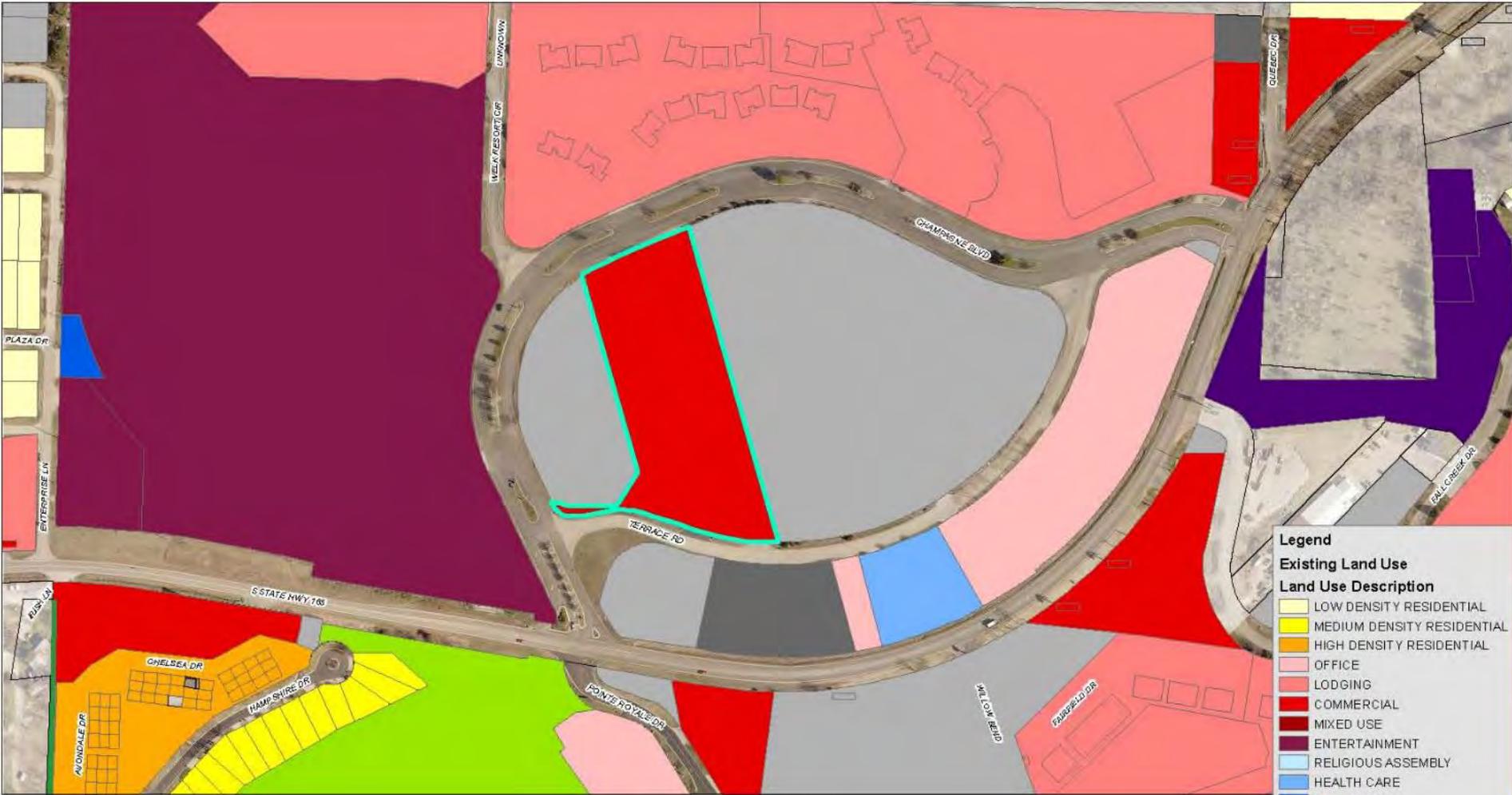
1972 State Hwy 165



1972 State Hwy 165

N
 1 inch = 200 feet
 City of Branson
 Planning & Development
 Date: 5/1/2020

- | | | | |
|----------------------------|--------------------------|---------------|---------------------|
| Agricultural | High Density Residential | Downtown | Planned Development |
| Conservation | Neighborhood Commercial | Entertainment | Unzoned |
| Low Density Residential | Mixed-Use | Business | |
| Medium Density Residential | Community Commercial | Industrial | |



Legend

Existing Land Use

Land Use Description

Light Yellow	LOW DENSITY RESIDENTIAL
Yellow	MEDIUM DENSITY RESIDENTIAL
Orange	HIGH DENSITY RESIDENTIAL
Pink	OFFICE
Light Red	LODGING
Red	COMMERCIAL
Dark Red	MIXED USE
Dark Red	ENTERTAINMENT
Light Blue	RELIGIOUS ASSEMBLY
Blue	HEALTH CARE
Dark Blue	INSTITUTIONAL
Purple	INDUSTRIAL
Green	RECREATION
Light Green	OPEN SPACE
Light Green	AGRICULTURAL
Grey	UTILITIES
Grey	VACANT
Grey	TANEY COUNTY

1972 State Hwy 165

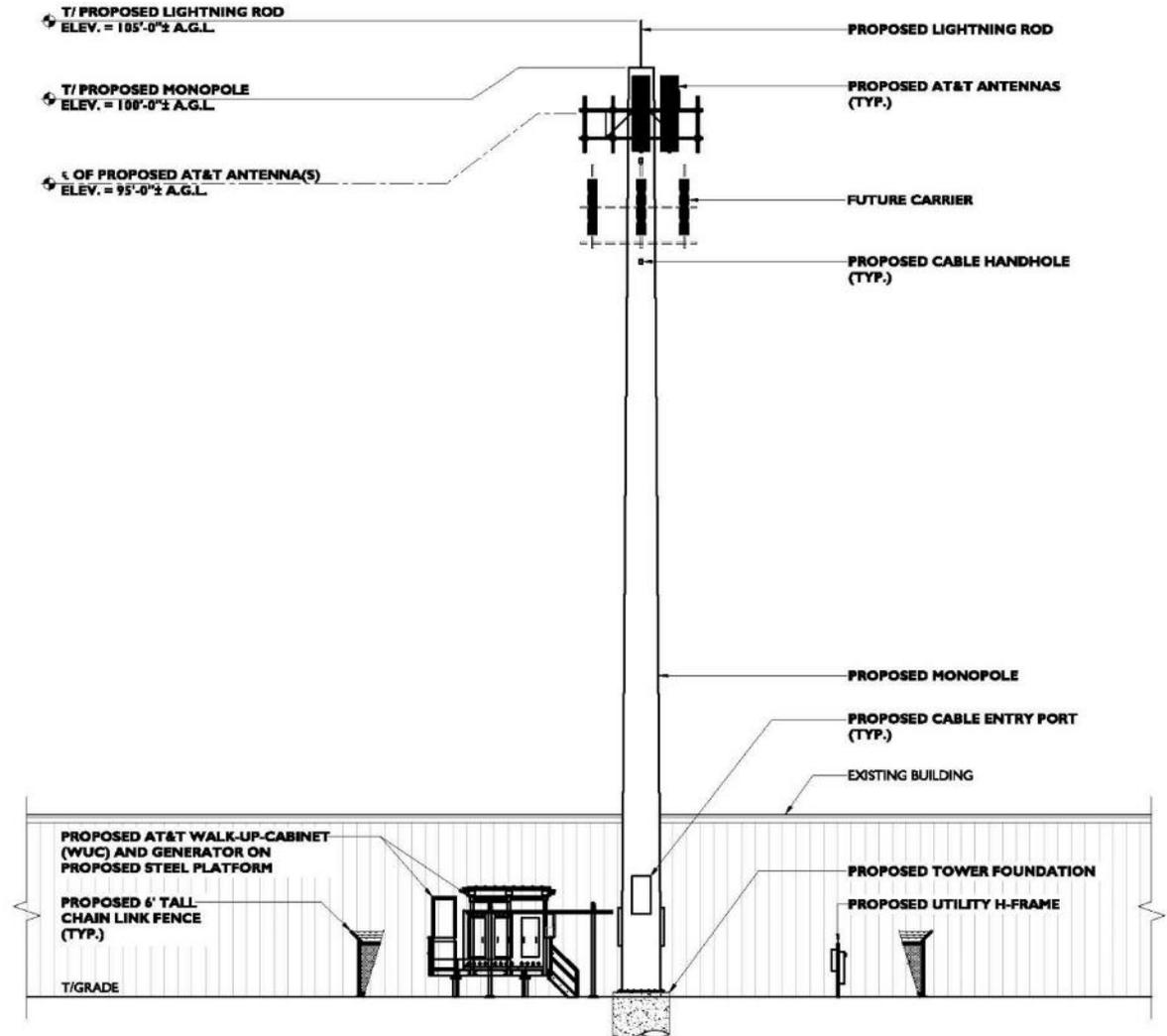
N
 1 inch = 200 feet
 City of Branson
 Planning & Development
 Date: 5/1/2020

4) SPECIAL USE PERMIT



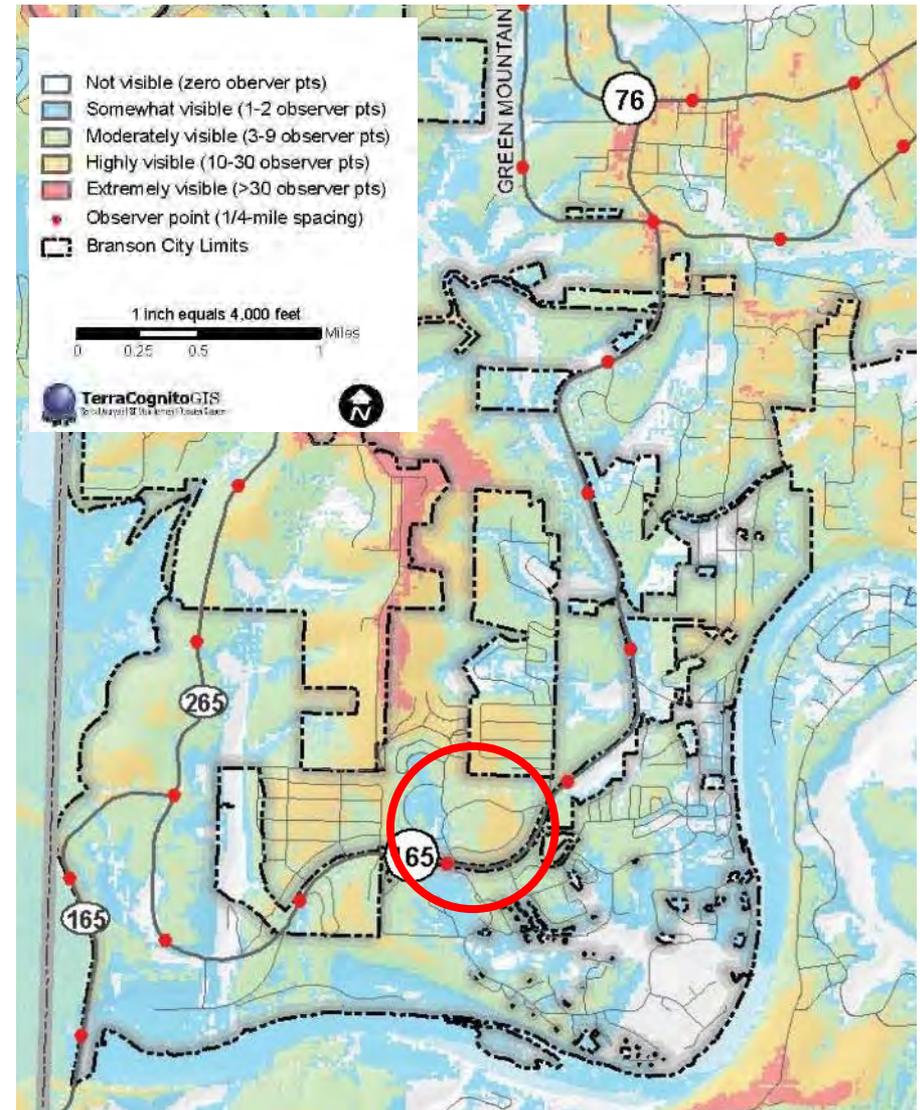
4) SPECIAL USE PERMIT

- 15' x 60' (900 SF) leased site
 - Located to east/rear of existing building
 - 100' tall monopole
 - AT&T equipment area
 - Equipment area for future carrier
 - Protected by 6' chain-link fence
 - Accessible from Champagne Blvd via 20' access easement



4) SPECIAL USE PERMIT

- FAA Form 7460-1 and FCC ASR due to height of structure within 20,000' of airport (no light)
- Location moderately visible per Community Plan 2030 (Fig. 4)
 - 3-9 observation points (1-3%)
 - Proposed site: 941'
 - Table Rock Dam: 946'
 - W 76 Country Blvd/
State Hwy 165: 1,042'
 - State Hwy 265/
State Hwy 165: 918'
 - State Hwy 165/
Fall Creek Rd: 748'



4) SPECIAL USE PERMIT

STAFF RECOMMENDS APPROVAL BASED ON THE FOLLOWING CONDITIONS:

- 1) The design, installation, and operation of the telecommunications tower and facilities shall be in accordance with all applicable city, state, and federal requirements; and,
- 2) The telecommunications tower and facilities shall generally conform with the submitted site plan, Exhibit A, and shall conform with all Codes and Ordinances of the City; and,
- 3) The facilities shall be appropriately screened with landscaping as required in Branson Municipal Code Chapter 94; and,

4) SPECIAL USE PERMIT

STAFF RECOMMENDS APPROVAL BASED ON THE FOLLOWING CONDITIONS (cont.):

- 4) Documentation showing the issuance of the Federal Communications Commission's Antenna Structure Registration shall be provided to the Planning and Development Department prior to the erection of the tower; and,
- 5) If conditions 1 through 4 of this Resolution authorizing the issuance of this Special Use Permit are not acted upon on or before July 7, 2021, this Special Use Permit shall be null and void; and,

4) SPECIAL USE PERMIT

STAFF RECOMMENDS APPROVAL BASED ON THE FOLLOWING CONDITIONS (cont.):

- 6) If use of the telecommunications tower ceases, the applicant shall remove the tower within 180 days. Failure to remove the abandoned tower shall be grounds for the City to cause removal at the expense of the property owner.

5) CODE AMENDMENT

CHAPTER 94 - ZONING

- Articles I, II, III, IV, VI and VII
- Identified by staff as inconsistencies and issues after working with the Unified Development Code over the past few years
- Community Plan 2030
 - Adopted 3/2012 – Res No. 2012-R007
- Zoning Code updated
 - Adopted 12/2016 – Ord No. 2016-0193
- Subdivision and landscaping codes added
 - Adopted 4/2018 – Ord No. 2018-0030
- Sign code added
 - Adopted 9/2019 – Ord No. 2019-0131

5) CODE AMENDMENT

ARTICLE I. - In General

- Remove duplicate term (local street)

ARTICLE II. - Rules and Regulations

- Update application requirements for subdivision plats due to City's use of an online portal (Citizenserve)

ARTICLE III. - Zone Districts

- Within the dimensional standards for Medium Density Residential (MDR) zoning district, reduce minimum lot size for detached residential building types (5,000 SF to 4,000 SF) to be in better alignment with LDR and HDR standards (5,000 SF and 3,000 SF)

5) CODE AMENDMENT

ARTICLE IV. - Uses

- Update Use Table to all manufactured homes as a permitted use in the A, LDR and MDR districts to be consistent
- Update outdoor sale/promotional event standards to be more clear and match intent
- Remove reference to minimum parking requirement

ARTICLE VI. - Off-Street Parking

- Remove exceptions and adjustments section as not needed with a maximum parking approach
- Remove staking lane requirement for separation to be more consistent with approach

5) CODE AMENDMENT

ARTICLE VII. - Landscaping and Screening

- Rename site perimeter landscaping area to buffering to be more clear as to what the requirements are for
- Update terminology when sight triangle requirements are needed
- Remove reference to Tree Board
- Add regulations for fences within residential lots
 - Shall not exceed 3' in height within the front yard and shall be at least 50 percent open
 - Shall not exceed 7' in height within the side or rear yard
 - Use of barbed wire, scrap metal, tarps, pallets, or other non-fencing materials are not permitted

5) CODE AMENDMENT

STAFF RECOMMENDS APPROVAL.

PUBLIC HEARING AGENDA ITEMS

6) SPECIAL USE PERMIT

1715 W. 76 COUNTRY BOULEVARD

- Owner (Applicant): JHW TRUST (Todd Chandler - CPWG, Inc.)
- Current Zoning: Entertainment (ENT)
- Applicant's Request: To operate a restaurant with a drive-thru





1715 W 76 Country Blvd



1 inch = 200 feet

City of Branson
 Planning & Development
 Date: 6/4/2020

Legend	
	Sanitary Sewer Manholes
	Liftstation
	Sewer Gravity Mains
	Sewer Pressurized Mains
	Water Hydrants
	Water System Valves
	Water Mains
	STORM INLET STRUCTURES
	STORM INTAKE STRUCTURES
	STORM OUTFALL STRUCTURES
	STORM_SEWER_PIPE
	DISTRIBUTION
	TRANSMISSION



1715 W 76 Country Blvd



1 inch = 200 feet

City of Branson
 Planning & Development
 Date: 6/4/2020

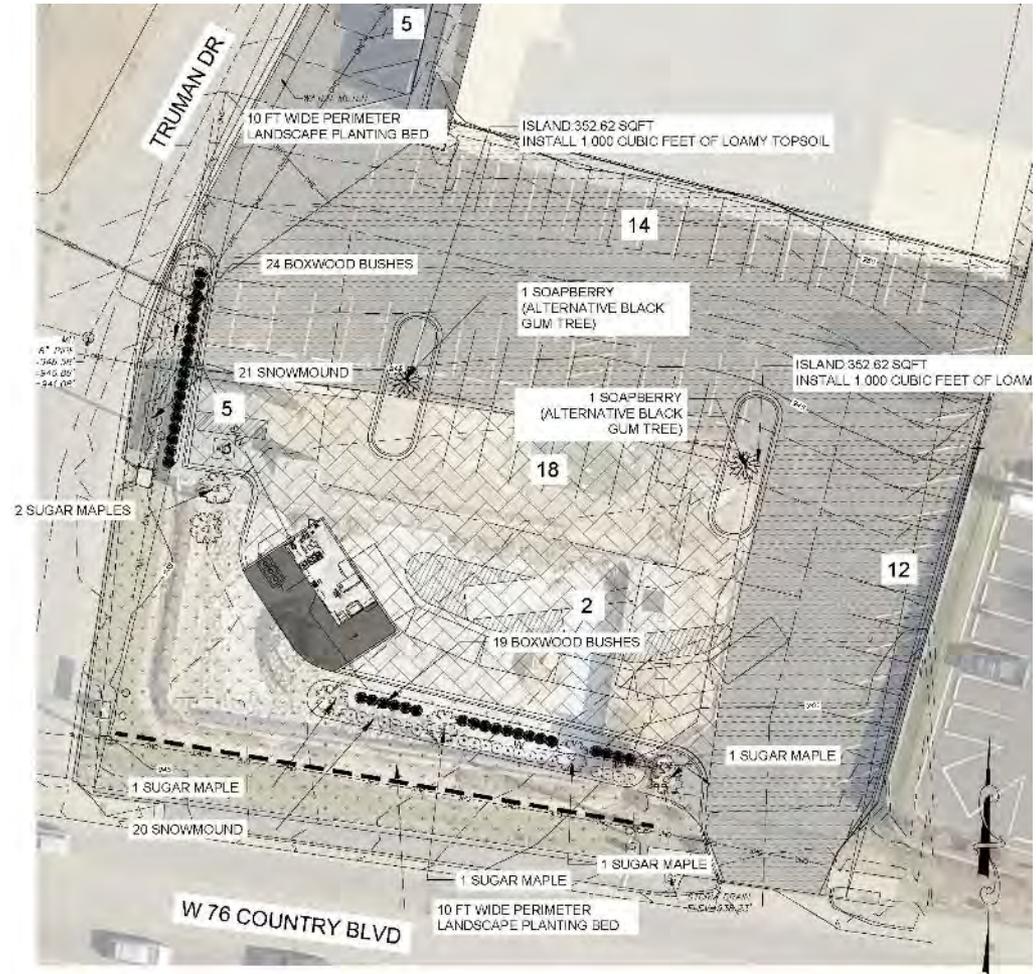
Agricultural	High Density Residential	Downtown	Planned Development
Conservation	Neighborhood Commercial	Entertainment	Unzoned
Low Density Residential	Mixed-Use	Business	
Medium Density Residential	Community Commercial	Industrial	

6) SPECIAL USE PERMIT



6) SPECIAL USE PERMIT

- Table Rock Coffee Roaster
- Unified Development Code
 - Effective Feb. 2017
- Drive-thru
 - Window location (north side)
 - Staking lanes (north side)
 - 6+ vehicles
 - Layout promotes circulation to exit via Truman Drive
 - Compliant with BMC Sec. 94-87



6) SPECIAL USE PERMIT

STAFF RECOMMENDS APPROVAL BASED ON THE FOLLOWING CONDITIONS:

- 1) The drive-thru and associated facilities shall generally conform with the submitted site plan, Exhibit A, and shall conform to all Codes and Ordinances of the City; and,
- 2) The applicant shall apply for and receive a business license from the City prior to any business operations and that license shall remain in good standing; and,
- 3) If all conditions of this Resolution authorizing the issuance of this Special Use Permit are not acted upon on or before July 7, 2021, this Special Use Permit shall be null and void.

7) SPECIAL USE PERMIT

2527 STATE HIGHWAY 248

- Owner (Applicant): US Flanson Cultural Entertainment, LLC (Michael Mairot)
- Current Zoning: Community Commercial (CC)
- Applicant's Request: To operate a campground and vehicle park

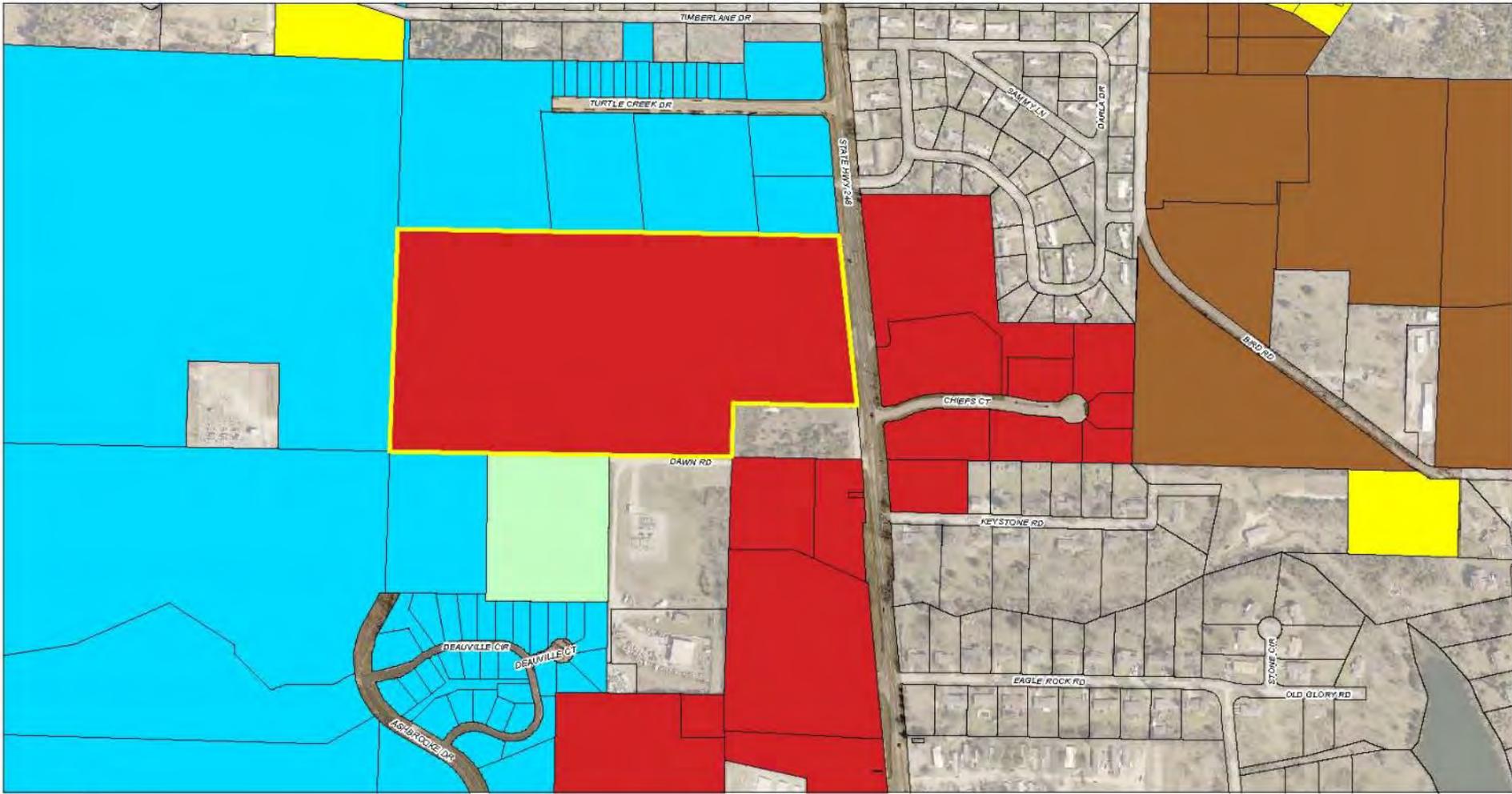




2527 State Hwy 248

Legend	
	Sanitary Sewer Manholes
	Liftstation
	Sewer Gravity Mains
	Sewer Pressurized Mains
	Water Hydrants
	Water System Valves
	Water Mains
	STORM INLET STRUCTURES
	STORM INTAKE STRUCTURES
	STORM OUTFALL STRUCTURES
	STORM_SEWER_PIPE
	DISTRIBUTION
	TRANSMISSION


 N
 1 inch = 300 feet
 City of Branson
 Planning & Development
 Date: 3/10/2020



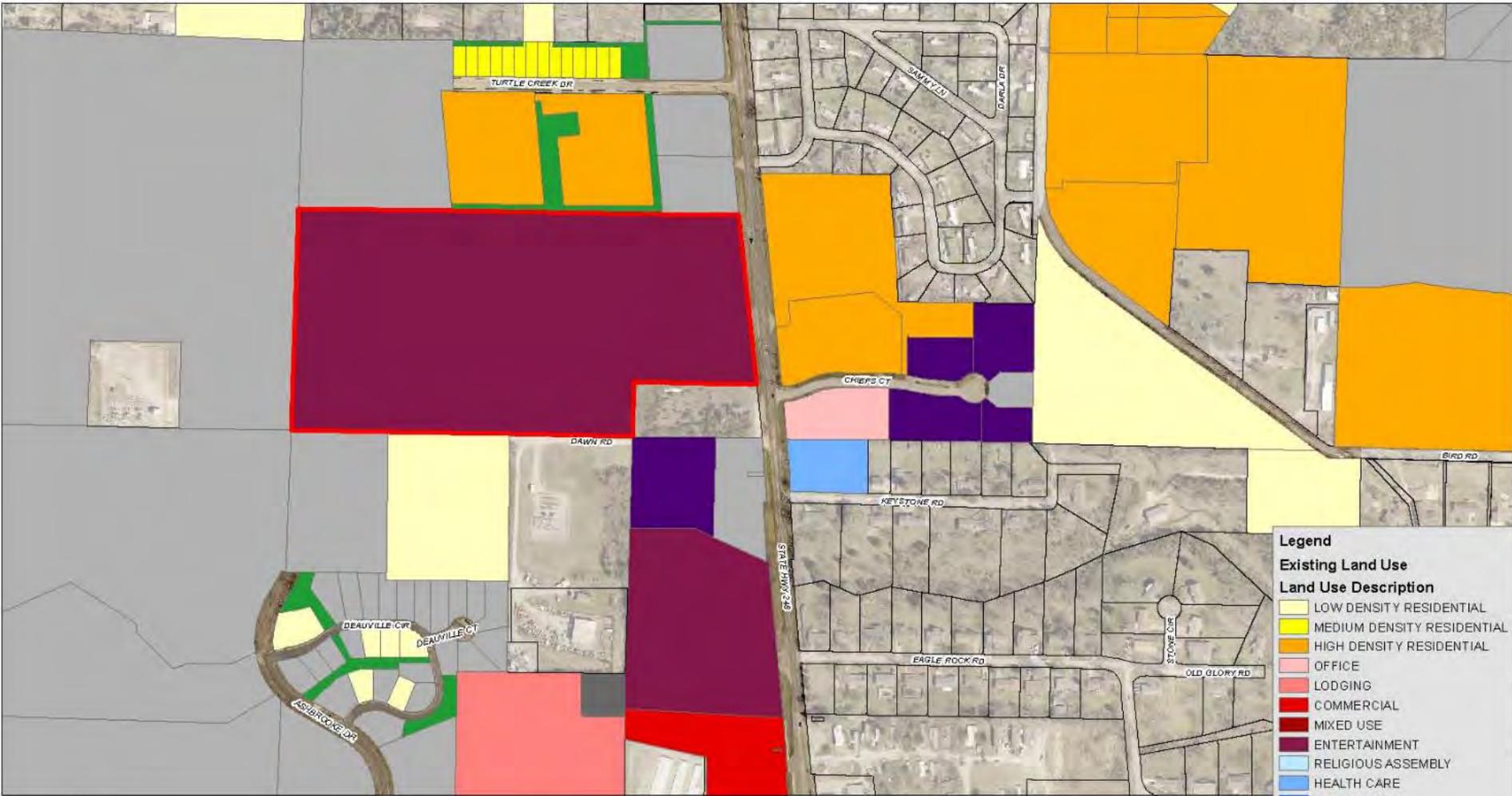
2527 State Hwy 248

- | | | | |
|----------------------------|--------------------------|---------------|---------------------|
| Agricultural | High Density Residential | Downtown | Planned Development |
| Conservation | Neighborhood Commercial | Entertainment | Unzoned |
| Low Density Residential | Mixed-Use | Business | |
| Medium Density Residential | Community Commercial | Industrial | |

1 inch = 300 feet

City of Branson
Planning & Development

Date: 3/10/2020



Legend

Existing Land Use

Land Use Description

[Light Yellow Box]	LOW DENSITY RESIDENTIAL
[Yellow Box]	MEDIUM DENSITY RESIDENTIAL
[Orange Box]	HIGH DENSITY RESIDENTIAL
[Pink Box]	OFFICE
[Red Box]	LODGING
[Dark Red Box]	COMMERCIAL
[Maroon Box]	MIXED USE
[Purple Box]	ENTERTAINMENT
[Light Blue Box]	RELIGIOUS ASSEMBLY
[Blue Box]	HEALTH CARE
[Dark Blue Box]	INSTITUTIONAL
[Green Box]	INDUSTRIAL
[Light Green Box]	RECREATION
[Dark Green Box]	OPEN SPACE
[Light Green Box]	AGRICULTURAL
[Grey Box]	UTILITIES
[Dark Grey Box]	VACANT
[White Box with Grey Border]	TANEY COUNTY

2527 State Hwy 248

N

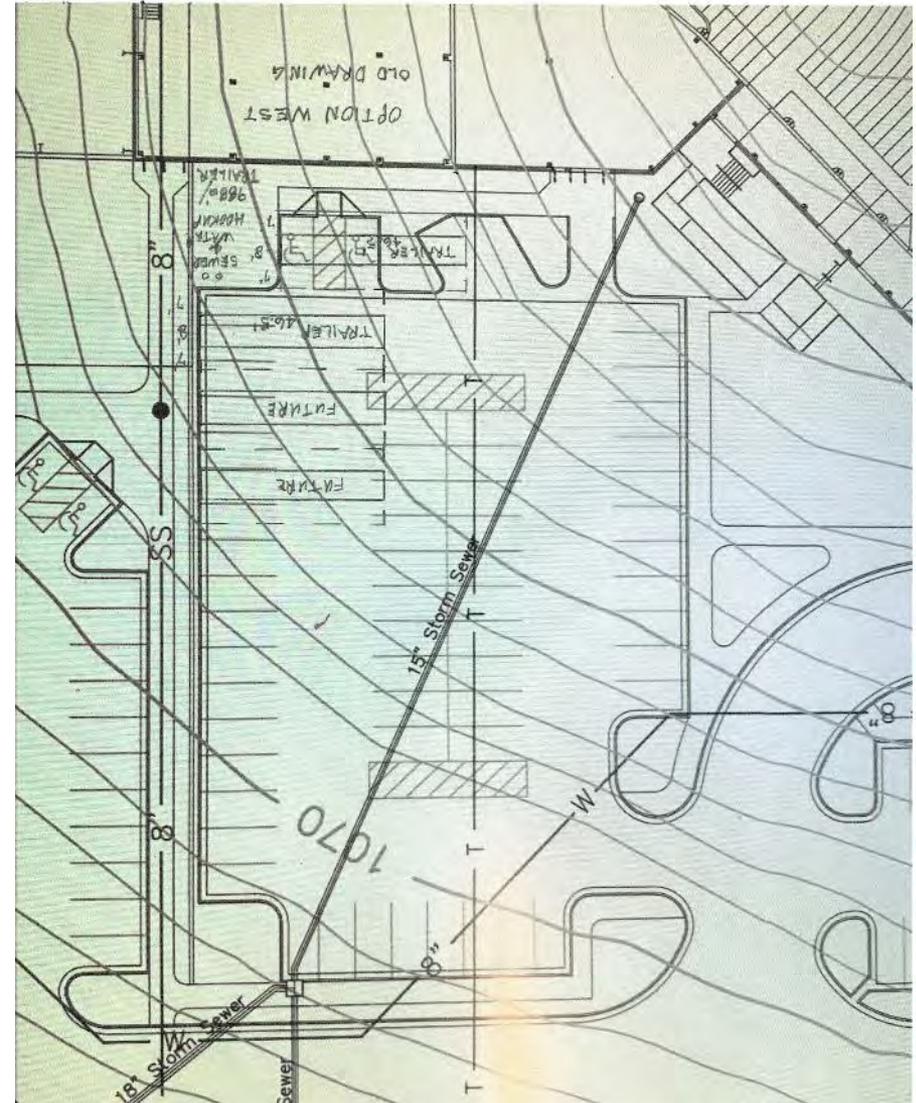


1 inch = 300 feet

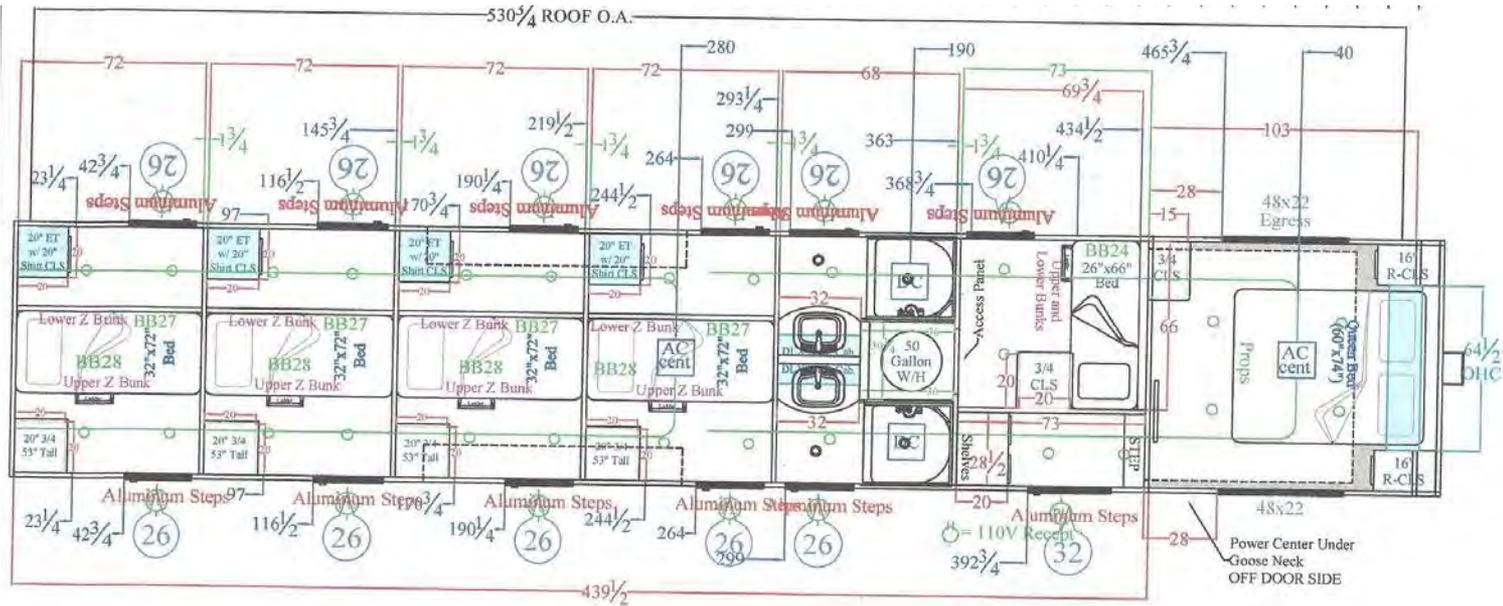
City of Branson
 Planning & Development
 Date: 3/10/2020

7) SPECIAL USE PERMIT

- Request to park 2 recreational vehicles (trailers) - temporary sleeping areas for staff
 - 46.5' x 8' (372 SF)
 - Campground area: 0.3 acres, or 1% of property (24 acres) located in south east portion
- Bathrooms and showers provided within the existing theater (backstage)
- Theater to provide shelter during significant weather events



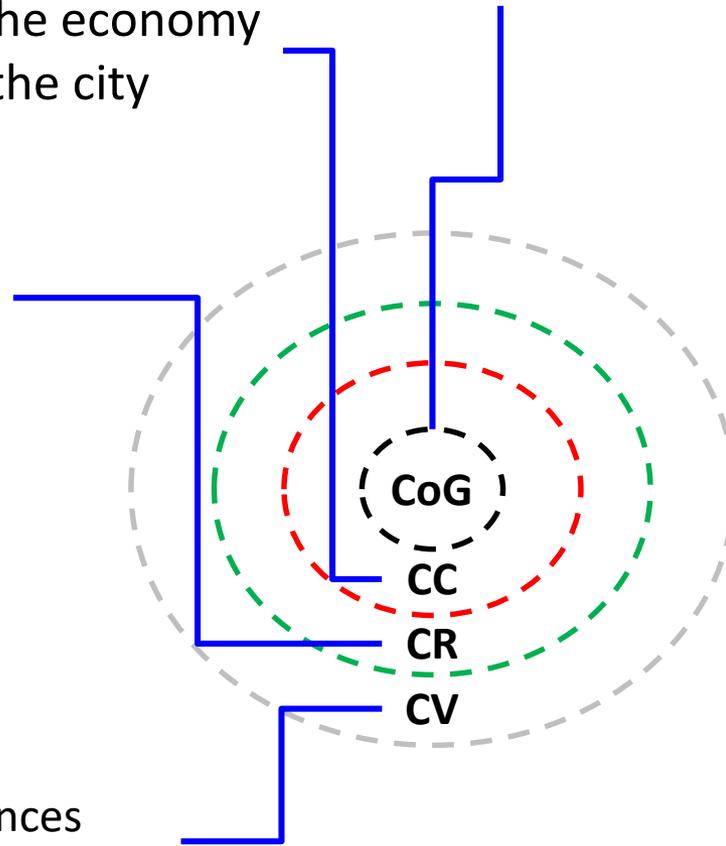
7) SPECIAL USE PERMIT



Center of Gravity – City of Branson

Tourism

- Feeds the economy
- Grows the city
- Entertainment in form of live shows and attractions
- Venues
 - Affordable
 - Safe
 - Comfortable
 - Accessible
- Performers/Performances
 - Desire to perform in Branson
 - Quality
 - Entertaining
 - Continuously Improving / variety



Definitions:

- **COG** - Center of Gravity: primary sources of moral or physical strength, power and resistance (noun).
- **CC** - Critical Capabilities: primary abilities which merits a Center of Gravity to be identified as such in the context of a given scenario, situation or mission (verb...things a COG does).
- **CR** - Critical Requirements: essential conditions, resources and means for a Critical Capability to be fully operative (noun...what a CC needs to function).
- **CV** - Critical Vulnerabilities: critical Requirements or components thereof which are deficient, or vulnerable to neutralization, interdiction or attack (moral/physical harm) in a manner achieving decisive results.

Purpose of city is to survive and ideally thrive.

Location



Aerial Photos (1 of 2)



**24 acres located on
the west side of
State Highway 248**



**Approximately
1,475 feet north of
Shepherd of the
Hills Expressway**

Aerial Photos (2 of 2)



**★ 0.3 acre
secured
parking
area**



**Inside a
24 acre
compound**

Video – Entering Encore Theater Parking and Compound



The
Apartment







CUSTOM UNITS / COMMERCIAL UNITS



Commercial Units

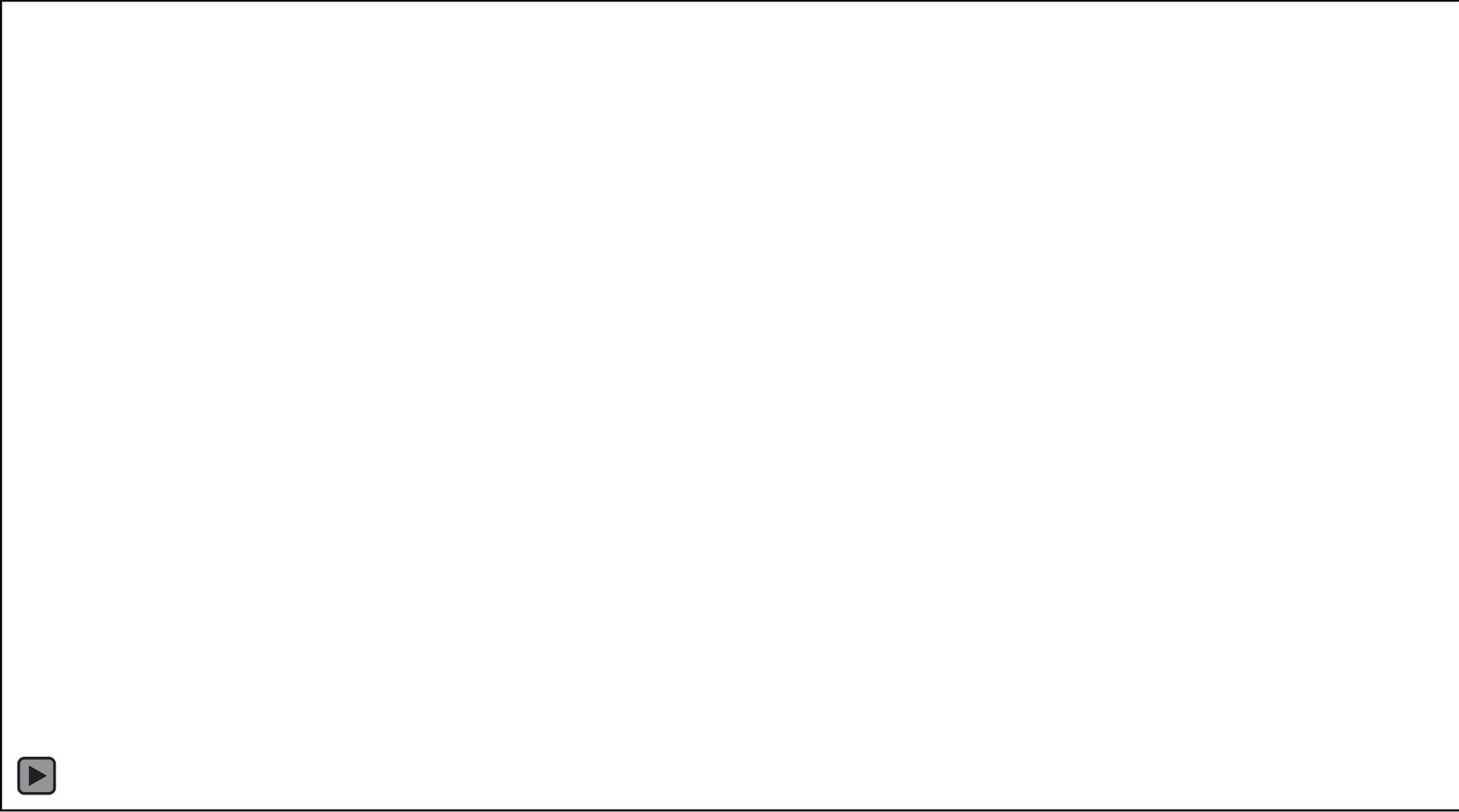
Bunkhouses, Multi-suite Living Quarters, Medical units and Star Trailers, custom layouts and flexible design.



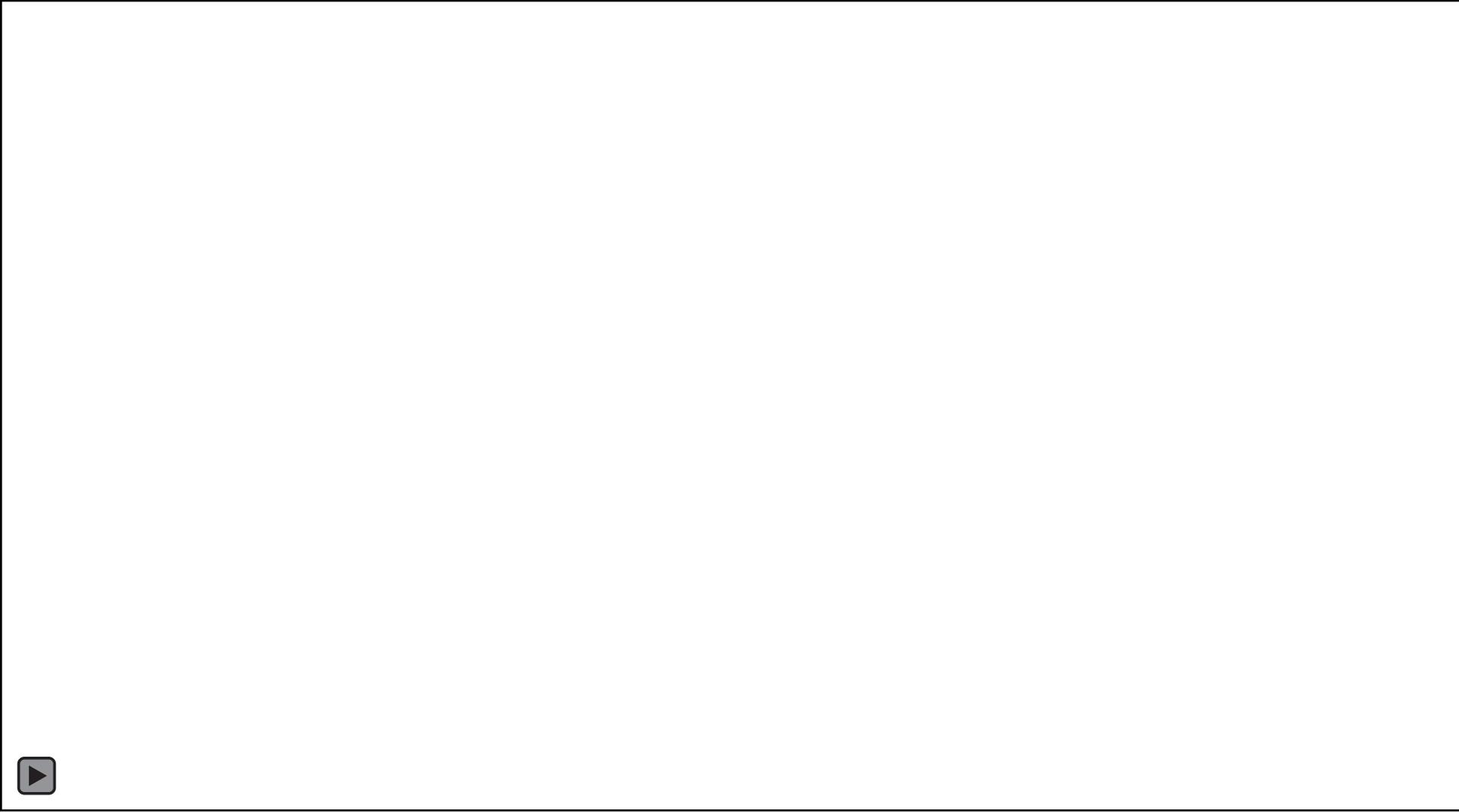




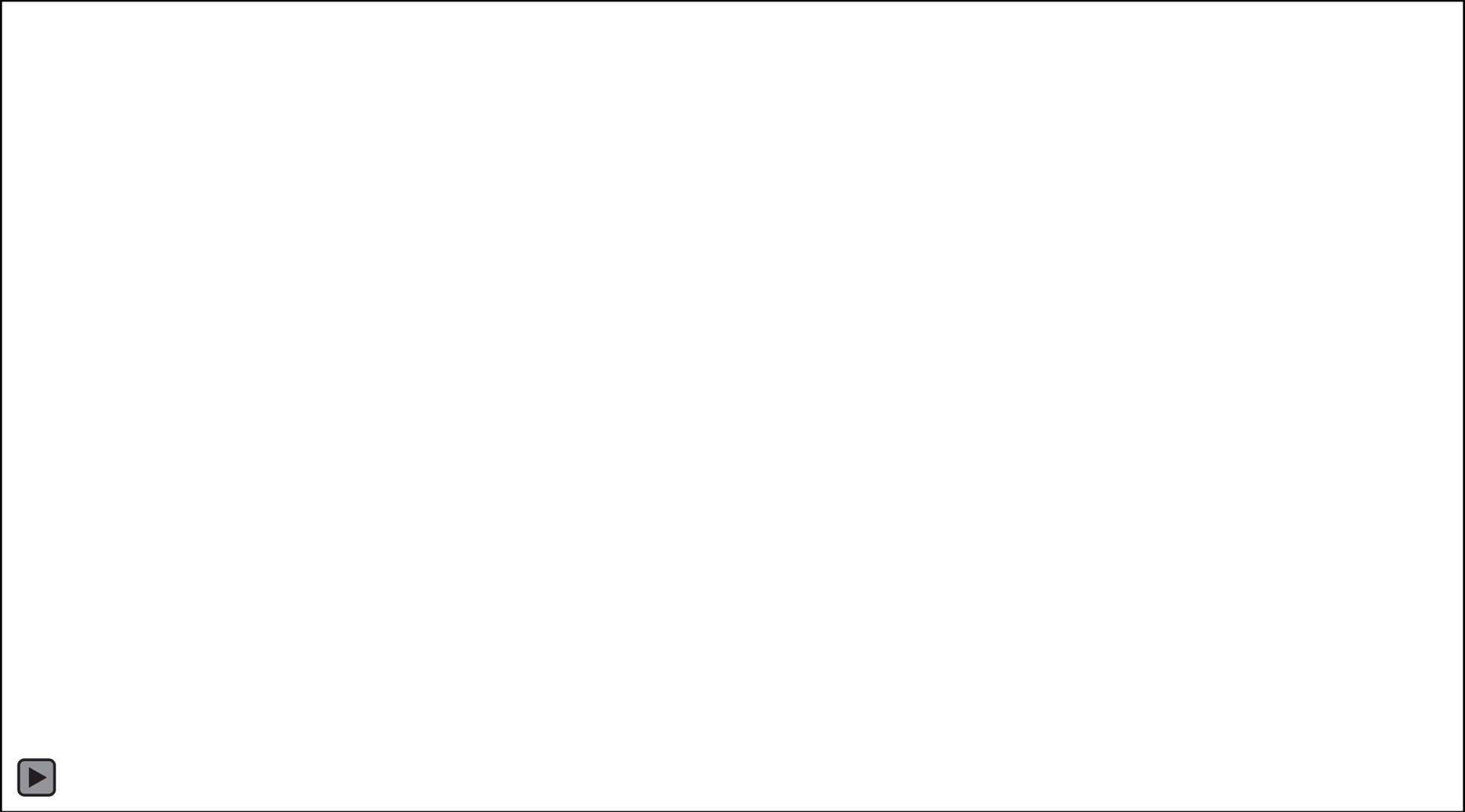
Video – Entering Male Sleeping Quarters



Video – Sleeping Quarters to Restrooms, Kitchen, Common Area



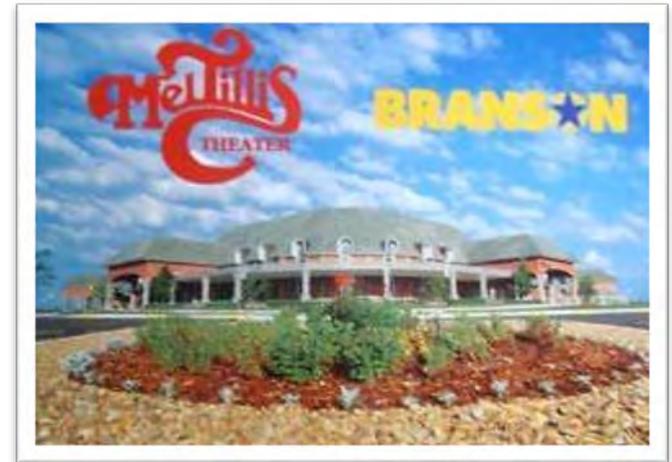
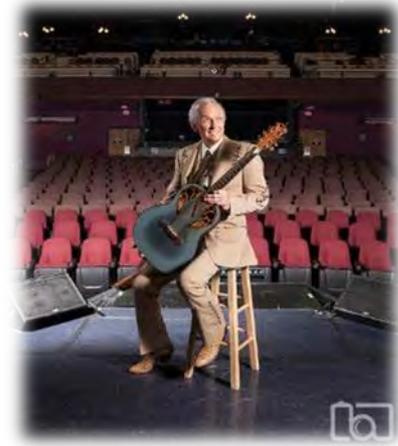
Video – Back of Property



Great History in this fabulous venue!



Kitchen Safety



Conclusion

1. Tourism is not only the primary industry but the Center of Gravity in Branson.
2. COVID-19 was and remains detrimental to this industry.
3. This special permit is a safe, secure, economical course of action for The Encore Theater.
4. Regardless of industry type, COVID-19, economy, etc., the City of Branson professional municipal staff is focused on helping citizens and businesses navigate city processes.
5. **Staff recommends approval.**

7) SPECIAL USE PERMIT

STAFF RECOMMENDS APPROVAL BASED ON THE FOLLOWING CONDITIONS:

- 1) This Special Use Permit is not transferrable in any manner and therefore shall not be transferred from owner to owner. If US Flanson Cultural Entertainment, LLC ceases operation for six (6) months or more, this Special Use Permit shall be null and void; and,
- 2) The installation and activities covered by the Special Use Permit shall be in accordance with all applicable city, state, and federal requirements; and,

7) SPECIAL USE PERMIT

STAFF RECOMMENDS APPROVAL BASED ON THE FOLLOWING CONDITIONS (cont):

- 3) A maximum of two spaces for recreational vehicles, or campsites, shall be allowed within the existing parking area located to the south of the existing building; and,
- 4) Necessary utilities shall be permanently installed for each campsite; and,
- 5) Any recreational vehicle shall not occupy any campsite longer than nine months within a twelve month period, and the number of occupants within each recreational vehicle shall not exceed the limits established by the manufacturer or the building codes as adopted by the City; and,

7) SPECIAL USE PERMIT

STAFF RECOMMENDS APPROVAL BASED ON THE FOLLOWING CONDITIONS (cont):

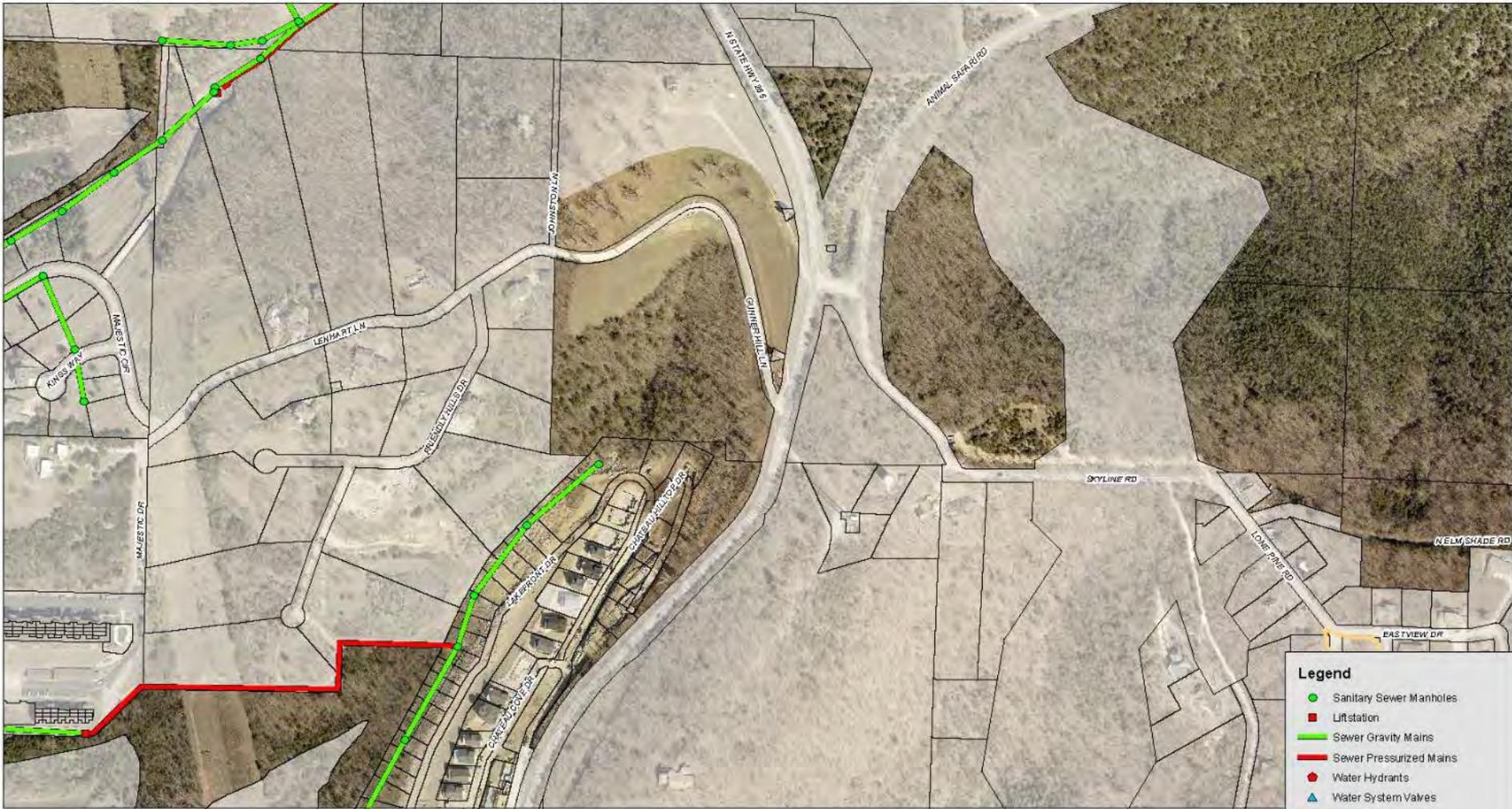
- 6) The applicant shall apply for and receive a business license from the City of Branson prior to any business operations and that license shall remain in good standing; and,
- 7) If all conditions of this Resolution authorizing the issuance of this Special Use Permit are not acted upon on or before July 7, 2021, this Special Use Permit shall be null and void.

8) ZONING REQUEST

150 GUNNER HILL LANE (CHATEAU MOUNTAIN)

- Owner (Applicant): Table Rock at Branson Inc. (Todd Chandler - CPWG, Inc.)
- Current Zoning: Agriculture (A)
- Applicant's Request: To establish zoning (HDR) for the property



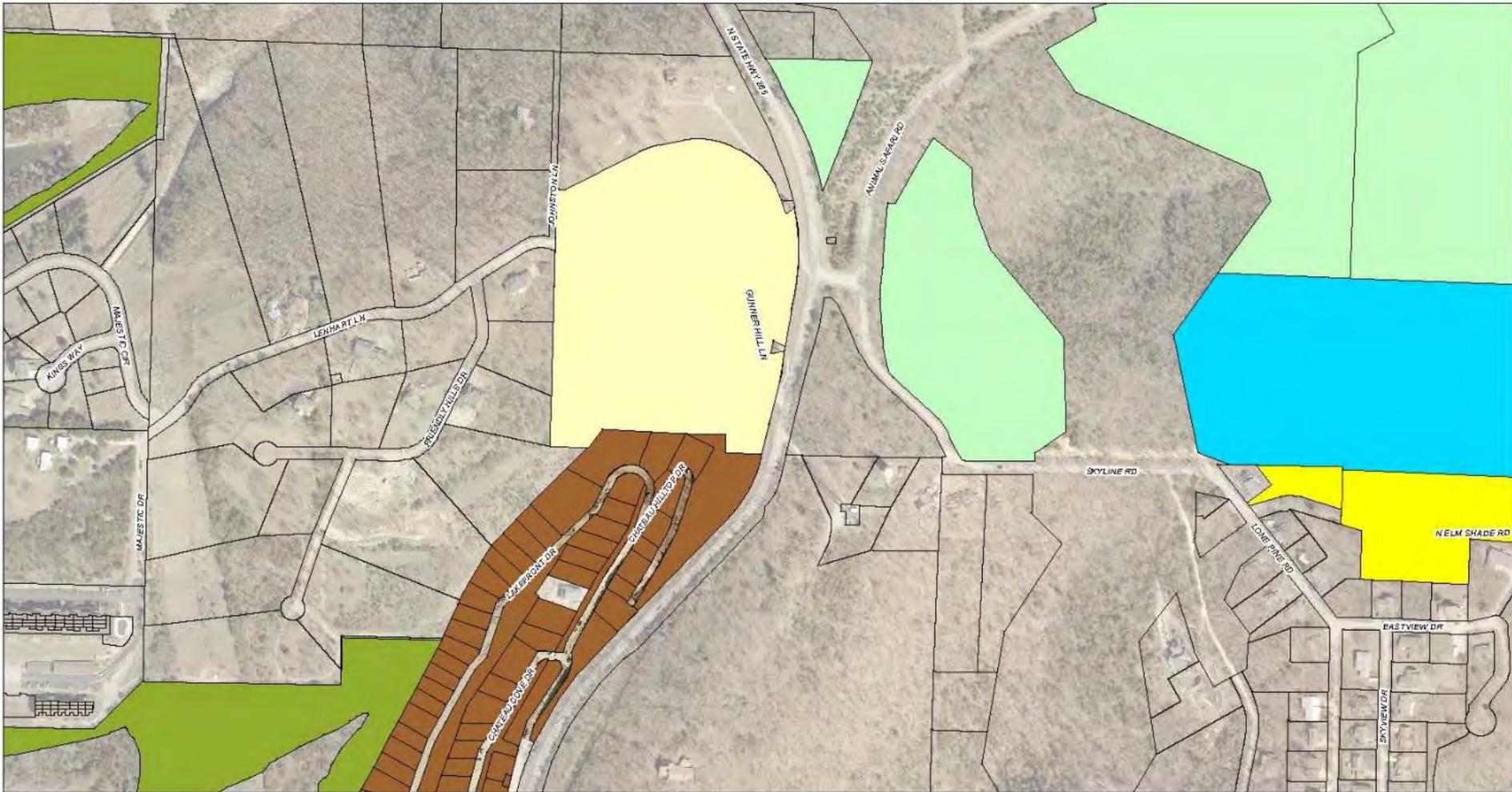


150 Gunner Hill Ln

Legend

- Sanitary Sewer Manholes
- Liftstation
- Sewer Gravity Mains
- Sewer Pressurized Mains
- Water Hydrants
- ▲ Water System Valves
- Water Mains
- STORM INLET STRUCTURES
- ▼ STORM INTAKE STRUCTURES
- STORM OUTFALL STRUCTURES
- STORM_SEWER_PIPE
- DISTRIBUTION
- TRANSMISSION

N
 1 inch = 300 feet
 City of Branson
 Planning & Development
 Date: 6/18/2020



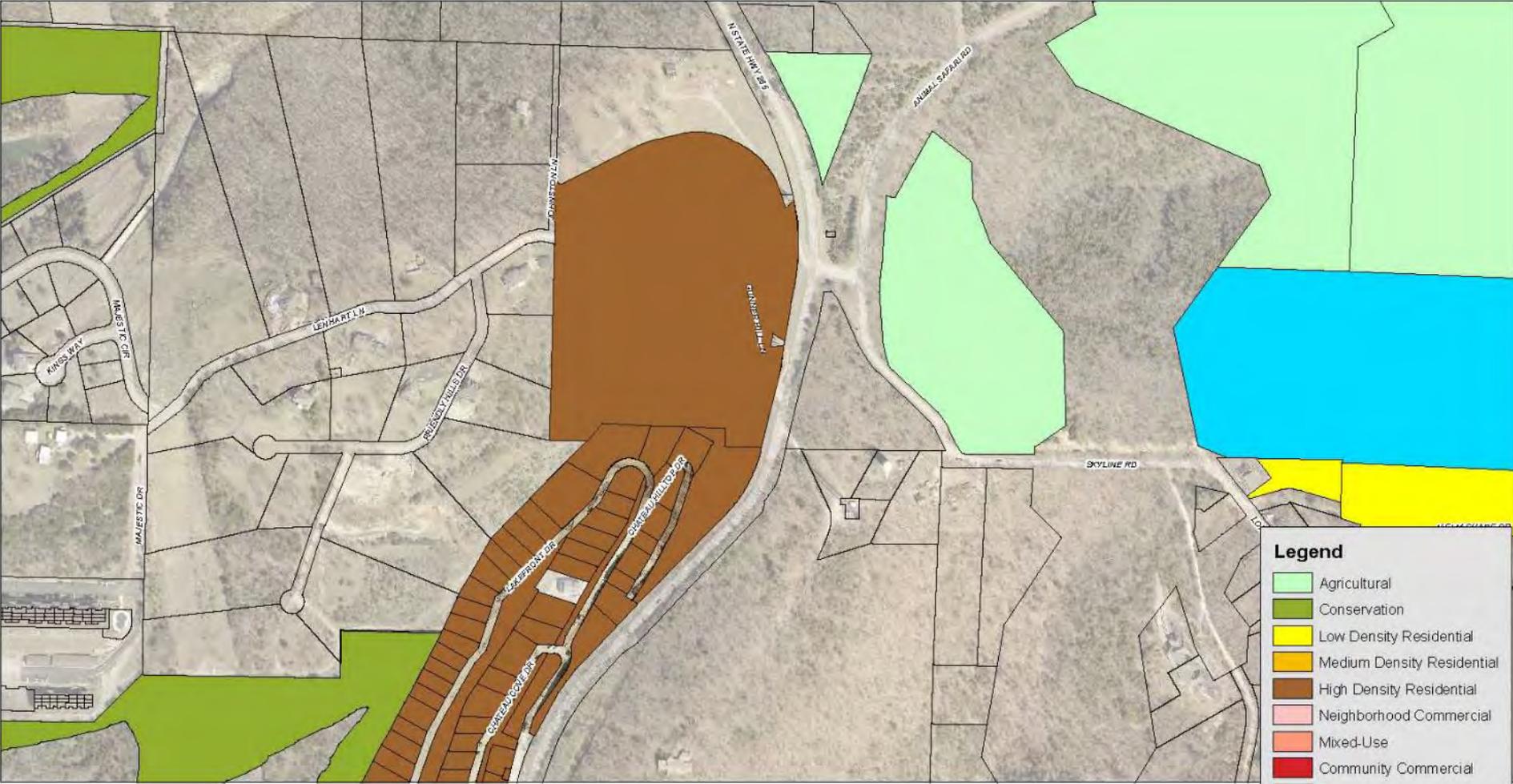
150 Gunner Hill Ln



1 inch = 300 feet

City of Branson
 Planning & Development
 Date: 6/18/2020

Agricultural	High Density Residential	Downtown	Planned Development
Conservation	Neighborhood Commercial	Entertainment	Unzoned
Low Density Residential	Mixed-Use	Business	
Medium Density Residential	Community Commercial	Industrial	



Legend

■	Agricultural
■	Conservation
■	Low Density Residential
■	Medium Density Residential
■	High Density Residential
■	Neighborhood Commercial
■	Mixed-Use
■	Community Commercial
■	Downtown
■	Entertainment
■	Business
■	Industrial
■	Planned Development
■	Unzoned

150 Gunner Hill Ln



1 inch = 300 feet

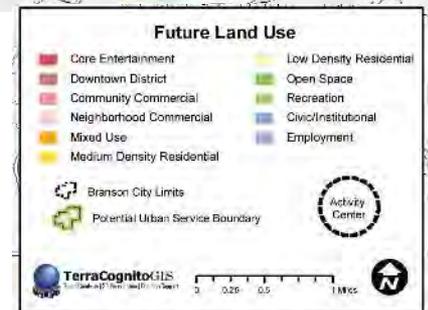
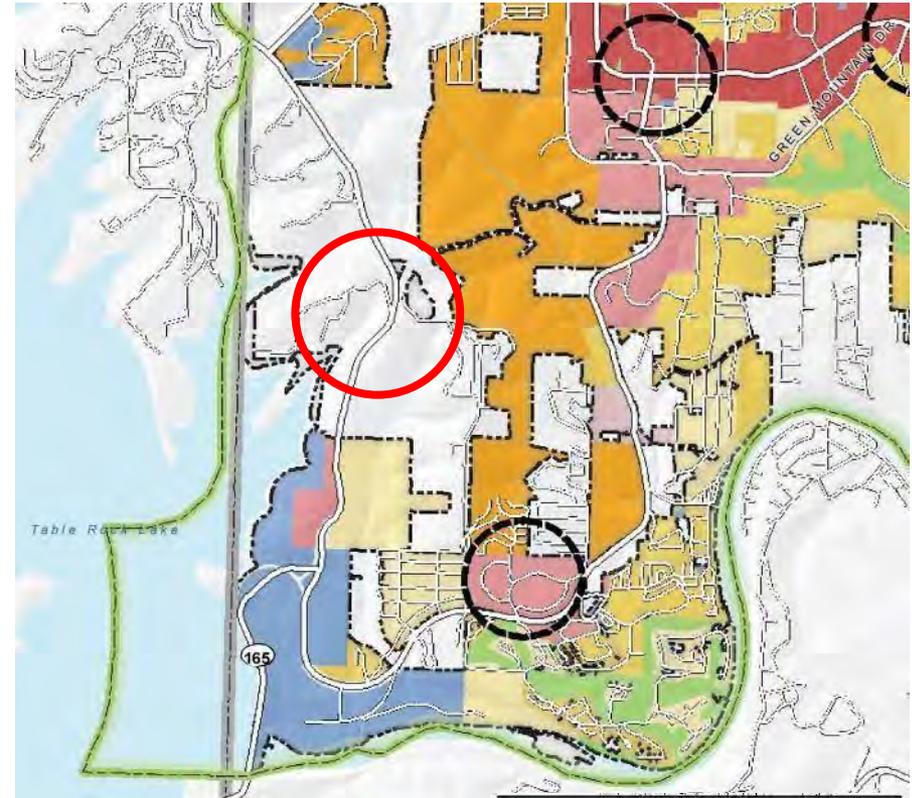
City of Branson
 Planning & Development
 Date: 6/18/2020

8) ZONING REQUEST



8) ZONING REQUEST

- 150 Gunner Hill Lane
 - Annexation
 - Requested: 1/16/2020
 - Petition: 1/28/2020
 - First Reading: 2/11/2020
 - Final Reading: 2/25/2020
 - Establish zoning which is reflective and complimentary of proposed use and adjacent uses
 - Nightly rental, residential structures being proposed
 - Not included in the Community Plan 2030's Preferred Land Use Plan (Fig. 10) but matches surrounding properties



8) ZONING REQUEST

STAFF RECOMMENDS APPROVAL.

COMMISSIONER & STAFF REPORTS

ADJOURNMENT

