

PLANNING COMMISSION

September 4, 2018
7:00 PM
Council Chambers

CALL TO ORDER

ROLL CALL

Commissioners Present: Commissioners Howden, Loyd, O' Day, Richards, Romine,
Vice-Chairperson Pinkley and Chairperson Harris

Commissioners Absent: Commissioners Burney, Nichols and Skains

Staff Present:

Joel Hornickel	Director of Planning & Development
Perry Eckhardt	Senior Planner
Amy Jackson	Planner
Kendall Powell	Utilities Operations & Development Manager
Randy Fogle	Fire Division Chief of Technical Services
Matt Filice	Assistant City Engineer
William Duston	City Attorney
Chris Lebeck	Assistant City Attorney

Others Present: Karen Best Mayor

PUBLIC COMMENTS

None.

REGULAR AGENDA ITEMS

1. Approve Minutes

- a) August 7, 2018 Study Session
- b) August 7, 2018 Regular Meeting

MOTION:

Motion by Vice-Chairperson Pinkley and seconded by Commissioner Romine to approve the August 7, 2018 minutes as presented by staff. Motion unanimously carried.

OLD BUSINESS

None.

PUBLIC HEARING AGENDA ITEMS

2. **Request to Amend Planned Development PD-98-007, known as the Point Entertainment and Office Complex, for the Properties Located at 470 State Highway 248, Branson, Missouri.
Project No. 18-5.2 (18-00500002)
Applicant: Love and Laughter, LLC./Nicolas Grimwood**

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

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

Commissioner Howden asked if the building would be parallel to Highway 65. He stated the building would present a better gateway opportunity if built perpendicular to the highway.

Mr. Hornickel stated the building was proposed to be built parallel to Highway 65 based on the information provided by the applicant.

Commissioner Romine asked what the capacity of the city's current Fire Department was to be able to handle an emergency response at the proposed development. She asked if any additional costs would be incurred by the city or by the applicant.

Mr. Hornickel stated the applicant's inclusion of the statement pertaining to costs showed their intent to cover any additional costs necessary for the city's protection of health and safety within any building above one hundred feet in height.

Commissioner Howden asked for the applicant to elaborate on the vision for the property.

Mr. Nicolas Grimwood approached and stated he would speak on behalf of the property owner, Love and Laughter, LLC. He stated the owner's vision was to create a new gateway for Branson and all its visitors. He stated the proposed development would consist of buildings to house retirees, assisted living individuals, and those wanting to be close to medical facilities. He stated the development would also compartmentalize some space for entertainment and shopping, and would be an attractive place for visitors. He stated the plans are likely to change as time goes on, including the positioning of the building along Highway 65.

Chairperson Harris stated he liked the housing proportion proposed in the plan. He asked if any of the Commissioners had any other questions for the applicant; there was no response. He then asked if there was anyone present who wished to make a comment or ask a question in regards to the request.

Mr. Randy Wolverton approached and stated he was a neighboring property owner. He stated he was in favor of the proposed development, but he would like the retention pond, which had been previously created as part of the existing development, to be repaired and to work properly. He stated all of the runoff comes onto his property during storm events resulting in severe washouts. He stated he was concerned that more development could mean more runoff onto his property, and he simply wanted the water to slow down before it gets to his property.

Chairperson Harris stated the City had ordinances in place to address storm water runoff within new developments and hopefully the problem would be addressed. He then asked if there was anyone present who wished to make a comment or ask a question in regards to the request; there was no response. He then asked if the Commissioners had any other questions for staff.

Commissioner Howden asked staff if considerations for height restrictions should be factored by topography.

Mr. Hornickel stated there was approximately 30 feet difference in elevation between the adjacent Mercy property, which currently is allowed to build a 150 foot tall building, and the subject property. He stated the change in elevation was one of the reasons staff felt comfortable with their recommendation for approval.

Commissioner Loyd asked if the Planning Commission's decision would go before the Board of Aldermen.

Mr. Hornickel stated regardless of a favorable or unfavorable decision, the request would go to the Board of Aldermen for final review over two readings.

Vice-Chairperson Pinkley asked if the amendment was only for Tract E.

Mr. Hornickel stated he was correct.

Chairperson Harris asked if there were any other questions; there was no response. He entertained a motion.

MOTION:

Motion by Vice-Chairperson Pinkley and seconded by Commissioner Romine to approve Resolution 18-5.2.

AYES: Commissioners Howden, Loyd, O' Day, Richards, Romine, Vice-Chairperson Pinkley and Chairperson Harris

NOES: None

ABSTAIN: None

ABSENT: Commissioners Burney, Nichols and Skains

Motion to approve Resolution 18-5.2 carried with a 7-0 vote.

**3. Request for a Special Use Permit to Install Telecommunications Antennas within the Property Located at 2820 W. State Highway 76, Branson, Missouri.
Project No. 18-1.4 (18-00100004)
Applicant: Yogijikrupa Hospitality-C LLC/Katherine Gibbs**

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

Chairperson Harris asked if the Commissioners had any questions for staff; there was no response. He then asked if the applicant or their representative was present.

Mr. Gary Buster approached and stated he represented KGI Wireless on behalf of T-Mobile. He stated he was happy to answer any questions regarding the request on behalf of the applicant

Chairperson Harris asked what the reasons were for the three separate antennas.

Mr. Benjamin Holiber approached and stated he was an RF Engineer for T-Mobile. He stated there were three antennas and sectors proposed so they would be able to reach an entire circle, or 360 degrees.

Chairperson Harris asked if additional engineering would be provided along with a building permit to ensure proper structural support of the building.

Mr. Holiber stated they would be.

Commissioner Howden asked for the purpose of the proposed antennas.

Mr. Holiber stated the 360 degree antenna would allow for a stronger signal in the proposed area as well as to mitigate usage congestion.

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

MOTION:

Motion by Commissioner Skains and seconded by Commissioner Loyd to approve Resolution 18-5.1.

AYES: Commissioners Howden, Loyd, O' Day, Richards, Romine, Vice-Chairperson Pinkley and Chairperson Harris

NOES: None

ABSTAIN: None

ABSENT: Commissioners Burney, Nichols and Skains

Motion to approve Resolution 18-1.4 carried with a 7-0 vote.

4. **Request for a Zoning Change from High Density Residential (HDR) to Community Commercial (CC) for the Property Located at 2860 Green Mountain Drive and 200 Glory Road.
Project No. 18-3.6 (18-0300006)
Applicant: City of Branson**

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

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

MOTION:

Motion by Commissioner Loyd and seconded by Commissioner Howden to approve Resolution 18-3.6.

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

Motion to approve Resolution 18-3.6 carried with a 7-0 vote.

COMMISSIONER & STAFF REPORTS

Mr. Duston introduced the new Assistant City Attorney, Chris Lebeck.

ADJOURN

Motion by Commissioner Howden and seconded by Commissioner O'Day and unanimously carried to adjourn the meeting at 7:38 PM.



Clark Harris, Chairperson

10-2-18

Date



Joel Hornickel, Director of Planning & Development

10/2/18

Date