

NOTICE OF MEETING



PLANNING COMMISSION

VIRTUAL MEETING NOTICE 610.020(1) RSMo

Regular Meeting – November 3, 2020 – 7:00 p.m.

Council Chambers – Branson City Hall – 110 W. Maddux Street

This meeting is being 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 are in effect. The Planning Commission and City Staff will be joining the meeting on an online platform. The public may view and listen to the meeting, and submit comments through links on the City of Branson's website.

City of Branson website: www.bransonmo.gov

View & listen to meeting link: <http://bransonmo.gov/livestream>

Submit Public Comments & discussion link: <http://bransonmo.gov/PublicComment>

A

GENDA

CALL TO ORDER

ROLL CALL

PUBLIC COMMENTS

REGULAR AGENDA ITEMS

- 1) Approve Minutes
 - a) October 6, 2020 Regular Meeting

OLD BUSINESS

PUBLIC HEARING AGENDA ITEMS

- 2) Request to Amend a Special Use Permit, Resolution SU20-3, to Allow a Helicopter Tour Business to Operate within the Property Located at 3309 West 76 Country Boulevard, Branson, Missouri.
- 3) Discussion of a Municipal Code Amendment to Chapter 94 – Zoning, Pertaining to Theaters and Recreational Vehicles.

COMMISSIONER AND STAFF REPORTS

ADJOURN

[Powerpoint]

Where Values are the Difference

November: Integrity

Doing the right thing, even when no one is looking.

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

Lisa Westfall, City Clerk, 417-337-8522

Posted: October 29, 2020

At: _____ By: _____

Page 1 of 1

**PLANNING COMMISSION
REGULAR MEETING**

October 6, 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 Howden, Loyd, Pinkley, Romine, Vice-Chairperson Davis and Chairperson Harris

Commissioners Absent: Commissioners Nichols, O’Day, Richards and Seay

Staff Present: Joel Hornickel Planning & Development Director
Chris Lebeck City Attorney
Kendall Powell Utilities Operations & Development Manager
Randy Fogle Division Fire Chief of Technical Services
Stanley Kauffman Police Sergeant

PUBLIC COMMENTS

None.

REGULAR AGENDA ITEMS

1. Approve Minutes

a) August 4, 2020 Regular Meeting

MOTION:

Motion by Commissioner Loyd and seconded by Commissioner Howden to approve the August 4, 2020 minutes as presented by staff. Motion unanimously carried.

OLD BUSINESS

None.

PUBLIC HEARING AGENDA ITEMS

2. Request to Amend Resolution 12-1.10 to Allow Outdoor Animal Exhibits within the Property Located at 2020 West 76 Country Boulevard, Branson, Missouri.

Project No. SU20-7 (SU20-000007)

Owner/Applicant: Branson's Wild World Inc./James Kelly

Speakers: Mr. James Kelly

MOTION:

Motion by Commissioner Howden and seconded by Commissioner Loyd to amend Resolution 12-1.10 and approve Resolution SU20-7 as presented.

AYES: Commissioners Howden, Loyd, Pinkley, Romine, Vice-Chairperson Davis and Chairperson Harris

NOES: None

ABSTAIN: None

ABSENT: Commissioners Nichols, O'Day, Richards and Seay

Motion to approve Resolution SU20-7 carried with a 6-0 vote.

3. Request for High Density Residential (HDR) Zoning for the Properties Located at 121 Lenhart Lane, Branson, Missouri.

Project No. ZO20-6 (ZO20-000006)

Owner/Applicant: Lifestyle Contractors LLC/Lisa Allen

Speakers: None

MOTION:

Motion by Commissioner Romine and seconded by Vice-Chairperson Davis to approve Resolution ZO20-6 as presented.

AYES: Commissioners Howden, Loyd, Pinkley, Romine, Vice-Chairperson Davis and Chairperson Harris

NOES: None

ABSTAIN: None

ABSENT: Commissioners Nichols, O'Day, Richards and Seay

Motion to approve Resolution ZO20-6 carried with a 6-0 vote.

**4. Request for a Municipal Code Amendments to Chapter 94 – Zoning, Pertaining to Special Events.
Project No. 20-12.2 (20-12000002)
Owner/Applicant: City of Branson**

Speakers: None

MOTION:

Motion by Commissioner Howden and seconded by Commissioner Romine to approve Resolution 20-12.2 as presented.

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

Motion to approve Resolution 20-12.2 failed with a 1-5 vote.

**5. Request for a Municipal Code Amendments to Chapter 94 – Zoning, Pertaining to Microbreweries.
Project No. 20-12.3 (20-12000003)
Owner/Applicant: City of Branson**

Speakers: None

MOTION:

Motion by Commissioner Howden and seconded by Commissioner Romine to approve Resolution 20-12.3 as presented.

Motion by Commissioner Howden and seconded by Vice-Chairperson Davis to amend line 82 of Resolution 20-12.3 to read “12:00 p.m. and 10:00 p.m. daily”.

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

Motion to amend Resolution 20-12.3 failed with a 3-3 vote.

Motion by Commissioner Howden and seconded by Commissioner Loyd to amend line 82 of Resolution 20-12.3 to read “11:00 a.m. and 10:00 p.m. daily”.

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

Motion to amend Resolution 20-12.3 carried with a 6-0 vote.

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

Motion to approve Resolution 20-12.3 as amended carried with a 6-0 vote.

COMMISSIONER & STAFF REPORTS

Mr. Hornickel stated he appreciated the Commissioners continued patience with the virtual meetings and their format. He stated there would be at least one item on their November agenda.

ADJOURN

Motion by Vice Chairperson Davis, seconded by Commissioner Howden, and unanimously carried to adjourn the meeting at 8:38 PM.

Clark Harris, Chairperson

Date

Joel Hornickel, Planning & Development Director

Date

**Branson Planning and Zoning Commission
Staff Report and Recommendation
Project No. SU20-8 (SU20-000008)**

LOCATION: 3309 WEST 76 COUNTRY BOULEVARD

OWNER/APPLICANT: THE TRACK, LLC/BRANSON HELICOPTERS, LLC

ITEM/SUBJECT: REQUEST TO AMEND A SPECIAL USE PERMIT, RESOLUTION SU20-3, TO ALLOW A HELICOPTER TOUR BUSINESS TO OPERATE WITHIN THE PROPERTY LOCATED AT 3309 WEST 76 COUNTRY BOULEVARD, BRANSON, MISSOURI.

DATE: NOVEMBER 3, 2020

INITIATING DEPARTMENT: PLANNING & DEVELOPMENT

APPROVED BY:



Director of Planning & Development

10/23/2020

Date

STAFF REPORT:

A Special Use Permit Application has been received from Branson Helicopters, LLC on behalf of The Track, LLC to amend Resolution SU20-3 for the property located at 3309 West 76 County Boulevard (see attachment 1). The property is located on the north side of West 76 Country Boulevard approximately 315 feet west of Gretna Road (see attachment 2). It contains an 850 square foot helicopter pad, supporting structures, and two parking areas located in the southern and northern portions of the property. The property, as well as the adjacent properties, are currently zoned Entertainment District (ENT).

The applicant's request is to amend condition five pertaining to the hours of operation for their helicopter tour business. Specifically, they would like to simplify the condition and be allowed greater flexibility for their business. The proposed change would drop the seasonality of the hours of operation, and allow flights until 10:00 pm instead of dusk. While the extended hours would not provide much additional opportunity during the summer months, during the winter months they would have the opportunity to offer flights for viewing Christmas lights and displays.

This Special Use Permit, which was initially approved in March 2012 (Res. 12-1.1) and then amended in May 2020 (Res. SU20-3), will continue to cover the entire three (3) acre, subject property. Further, the applicant is not requesting any other modifications of the previously approved conditions.

STAFF RECOMMENDATION:

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 Branson Helicopters, LLC ceases operation for six (6) months or more, this Special Use Permit shall be null and void; and,

2. New structures shall require submittal of individual construction plans and specifications to the City of Branson for review and approval prior to any actual construction; and,
3. All construction and activities covered by the Special Use Permit shall conform to all Codes and Ordinances of the City of Branson; and,
4. 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,
5. Hours of operation shall be between 10:00 am and 10:00 pm, seven (7) days a week, and based on weather conditions for safe operations; and,
6. All departure and arrival paths shall be flown within the limits of the subject property; and,
7. The applicant shall provide approved FAA documentation for this location to the Planning and Development Department; and,
8. Branson Helicopters, LLC shall agree to and sign the “Standard Operating Procedures for Helicopter Operators in the Branson Missouri Area” prior to any helicopter tour operations; and,
9. If all conditions of this Resolution authorizing the issuance of this Special Use Permit are not acted upon on or before January 1, 2022, 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 Permit Application
	2)	Vicinity Maps
	3)	Res. 12-1.1 (approved March 6, 2012)
	4)	Res. SU20-3 (approved May 5, 2020)

ATTACHMENT 1: SPECIAL USE PERMIT APPLICATION

PLANNING & DEVELOPMENT DEPARTMENT

PLANNING & ZONING | BUILDING PERMITS | SIGN PERMITS



Special Use - Amend Existing Special Use Permit
Address: 3309 W 76 COUNTRY BLVD
Description: Branson Helicopter Tours

SU20-000008

Application Date: 10/02/2020

Application Information*:

Applicant Name	Camron McAhren
Applicant Email	camron@arhaviation.com
Applicant Address	277 Fredonia St Springdale AR 72762
Applicant Company Name	Branson Helicopter Tours
Applicant Company Address	802 AIRPORT AVE Springdale AR 72764
Applicant Home Phone	(479) 236-1109
Applicant Cell Phone	(479) 236-1109
Applicant Work Phone	
Are you the property owner?	No
Would you like to add additional team members?	Yes
Additional Team Member 1 Name	CRAIG WESCOTT
Additional Team Member 1 Email	craig@bransontracks.com
Additional Team Member 1 Address	
Additional Team Member 1 Company Name	TRACK, THE
Additional Team Member 1 Company Address	3388 GREEN MOUNTAIN DR. BRANSON MO 65616
Additional Team Member 1 Home Phone	
Additional Team Member 1 Cell Phone	
Additional Team Member 1 Work Phone	(417) 334-1612
Resolution number of special use	12-1.1 (12-0010000001)
Requested use	Amend Section 5
Are there deed restrictions?	No
Plan Revision Cycle	00 - Original Document Resubmittal

* Only fields that were populated are shown

Documents:

Attach property owner acknowledgement and notarization: [SPECIAL USE Application 20201001.pdf](#)

Attach any relevant information such as a written description, site plans, graphics, photos and other documentation: [Branson SUP Request 20201001.pdf](#)

Attach a recent copy of the Warranty Deed/Deed of Trust: [Report Item6 20-3.pdf](#)

Applicant Signature: [signature.png](#)



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: 3309 W. Hwy. 76

Craig Wescott
Property Owner Signature

Craig Wescott
Print Name

10/9/20
Date

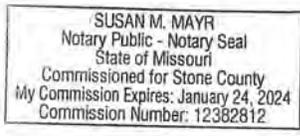
STATE OF Missouri)
COUNTY OF Taney) SS.

On this 9th day of October, 2020, before me personally appeared Craig Wescott 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, MO the day and year first above written.

Susan M. Mayr
Notary Public

My term expires: January 24, 2024





Oct 1, 2020

Branson Planning and Development
Special Use Permit Amendment
Resolution # 12-1.1 (12-0010000001)

To Whom It May Concern:

Branson Helicopters is requesting the following changes to our previously issued Special Use Permit:

Section 5 Reads:

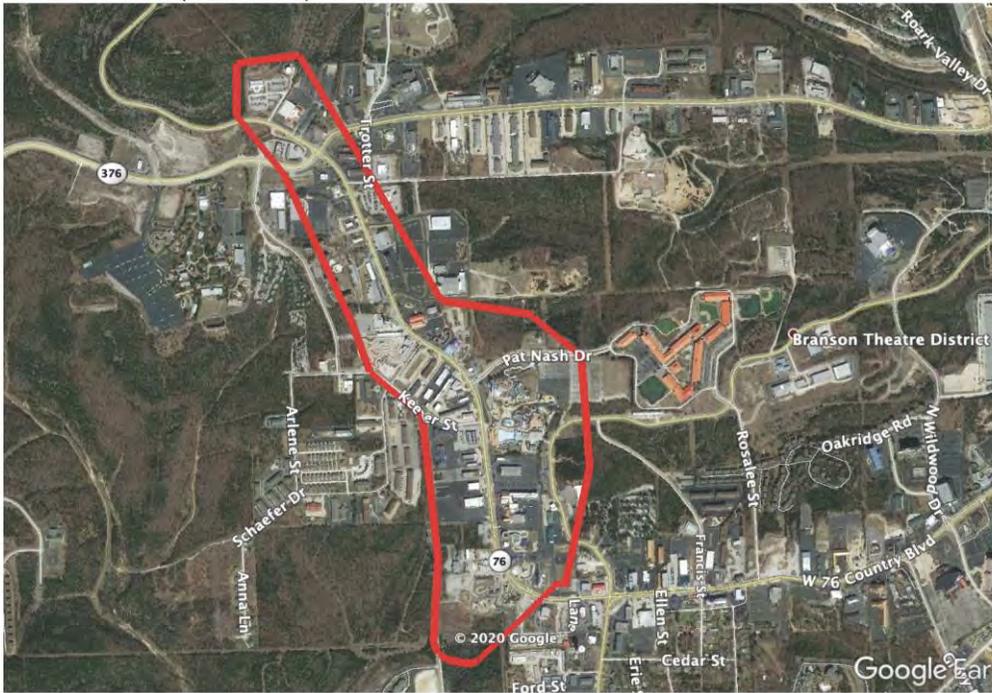
5. Hours of operation shall be from 10:00 am until dusk, seven (7) days a week from March through December, and 10:00 am until dusk, Saturday through Sunday from January through February; and,

We would like to request an amendment to this. I highlighted the changes.

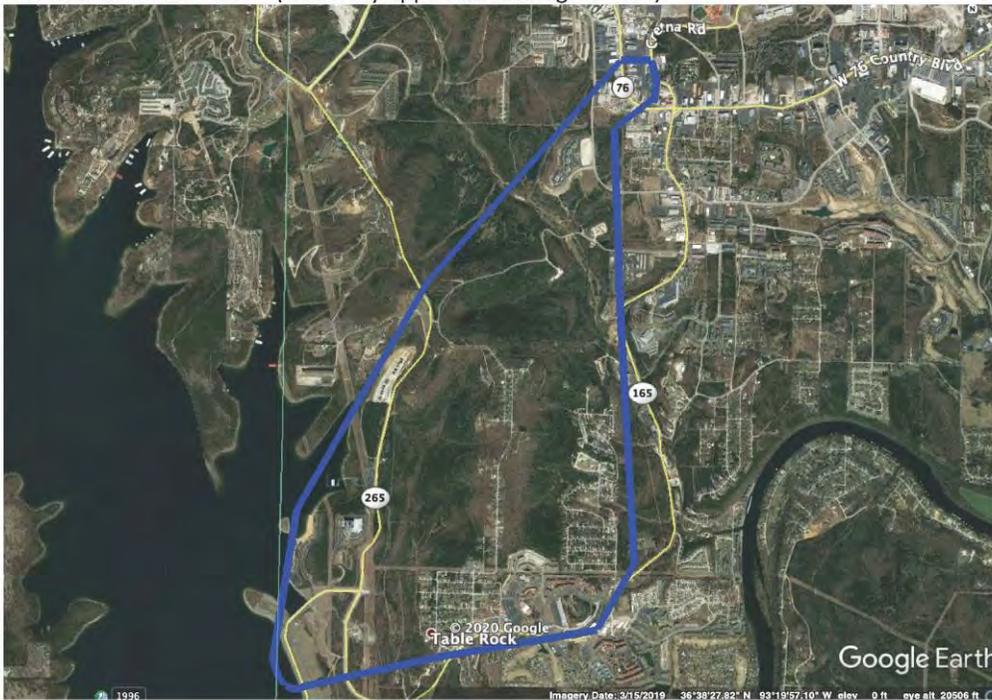
5. Hours of operation can be from 10:00 am until 10:00 pm, seven (7) days a week based on weather conditions for safe operations.

Respectfully,
Camron McAhren

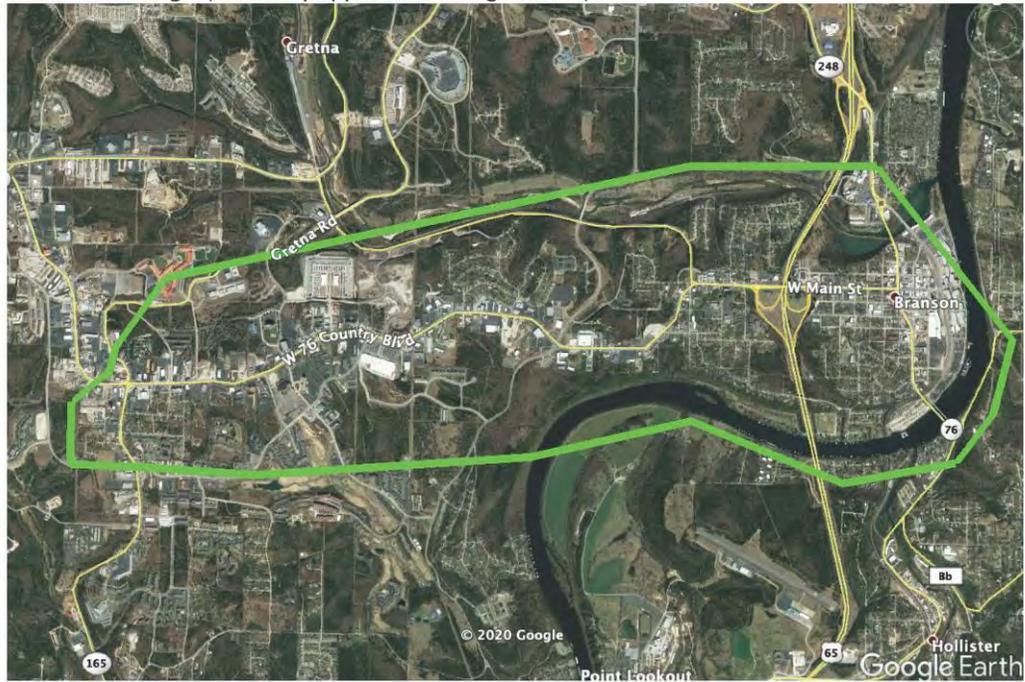
The Intro Tour – (New Route)



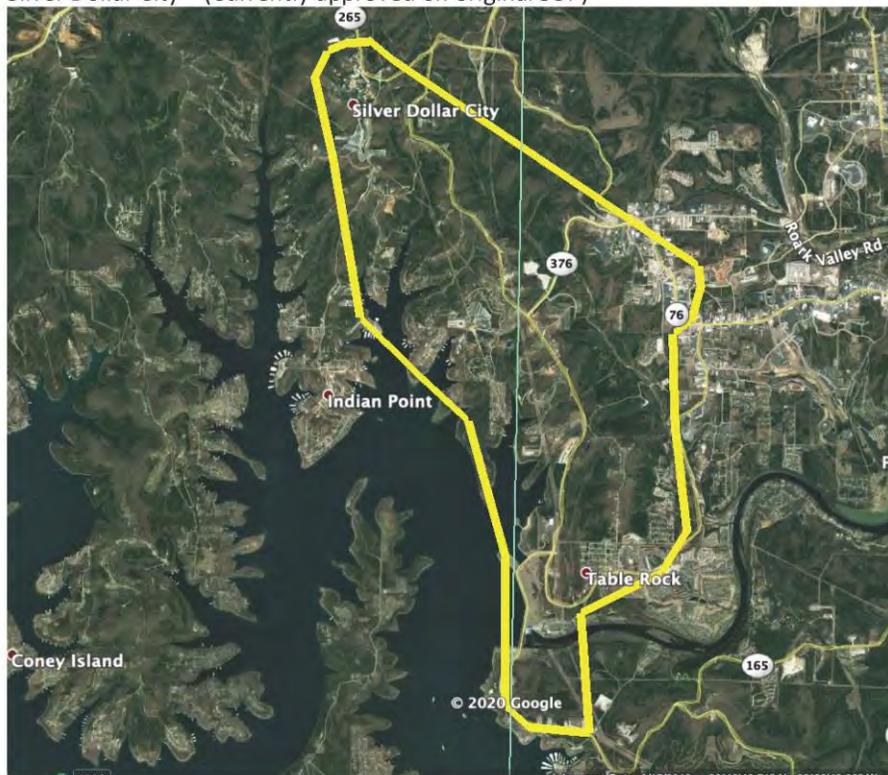
The Lake and Dam Tour – (Currently approved on original SUP)



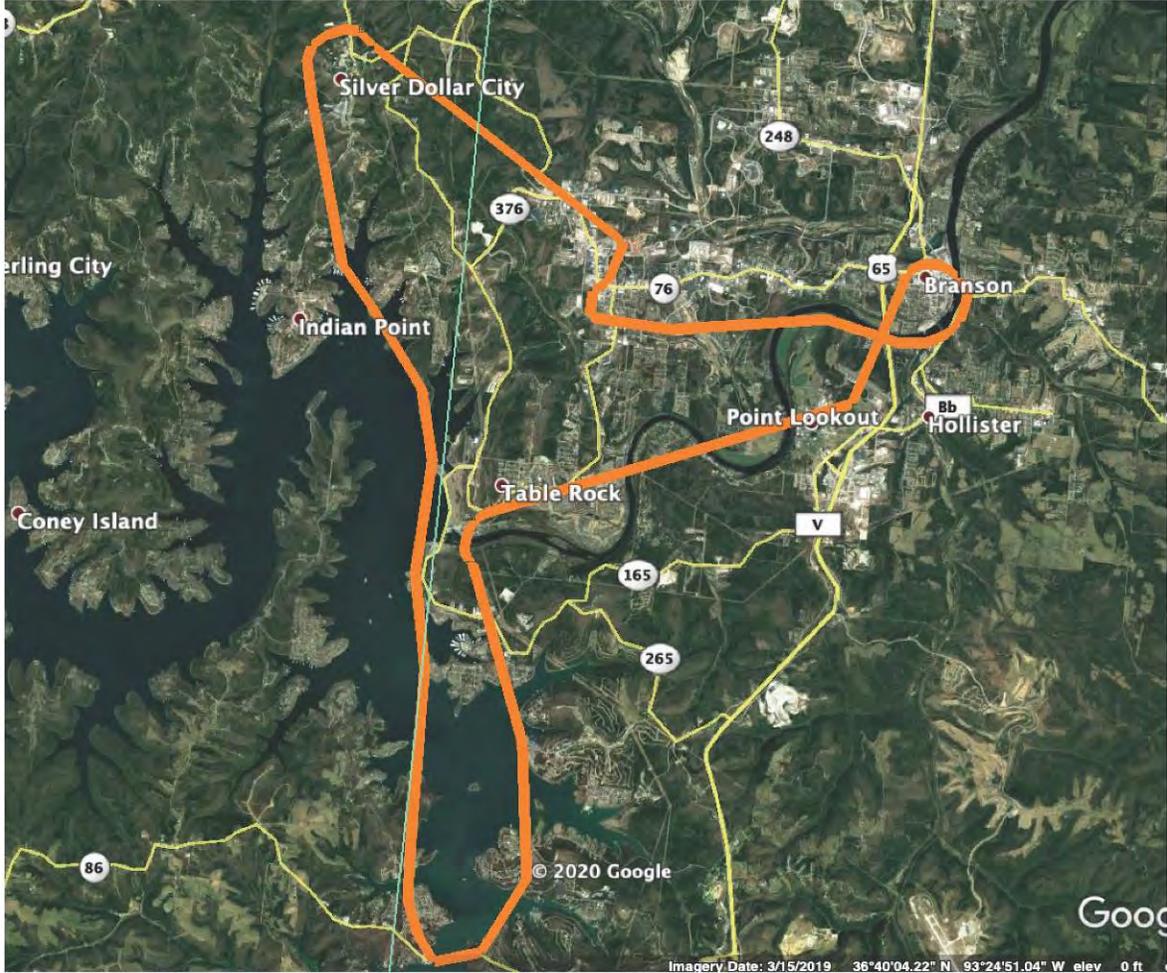
Branson Landing – (Currently approved on original SUP)



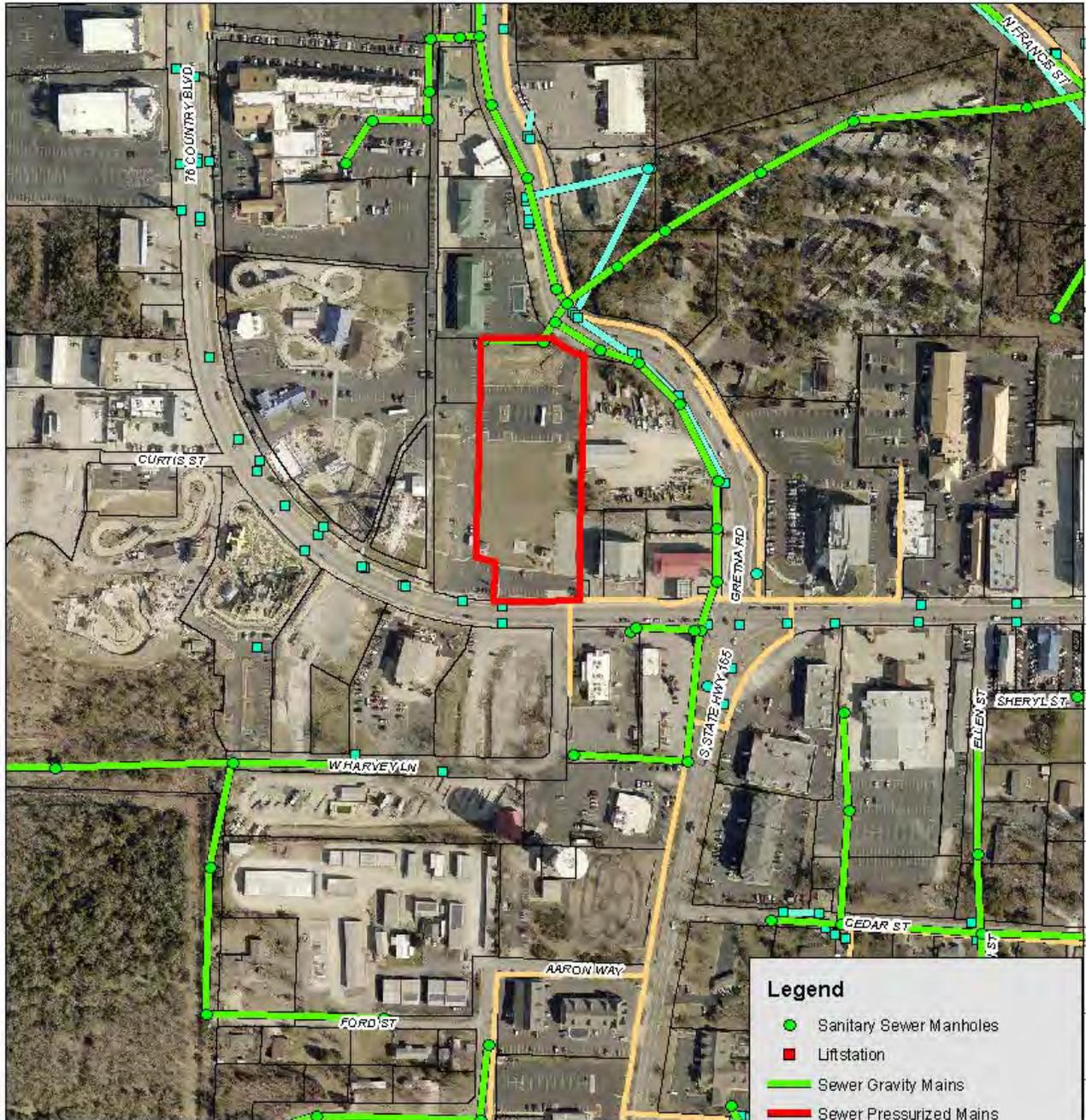
Silver Dollar City – (Currently approved on original SUP)



Deluxe – (Currently approved on original SUP)



ATTACHMENT 2: VICINITY MAPS - AERIAL



Legend

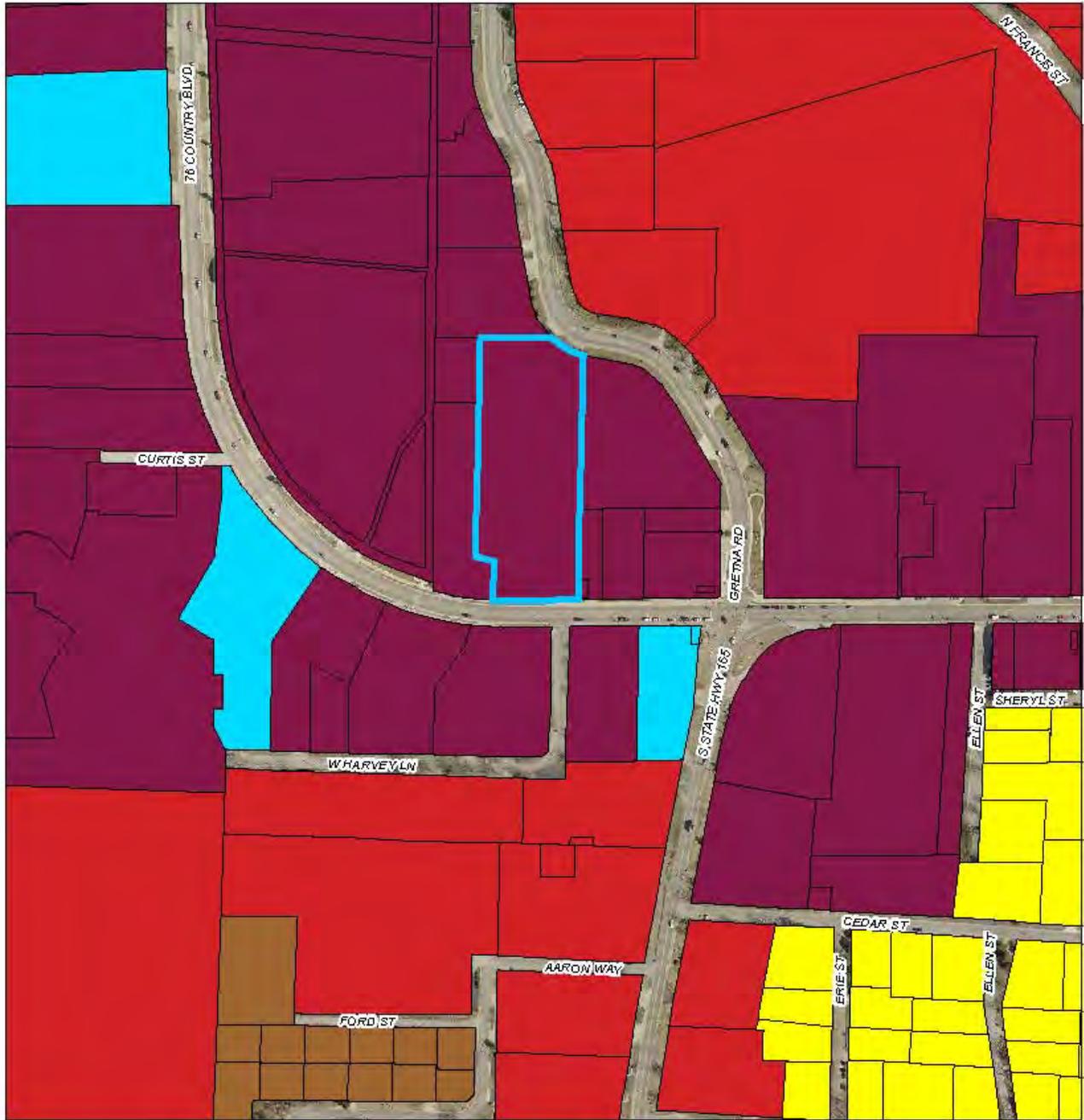
- Sanitary Sewer Manholes
- Liftstation
- Sewer Gravity Mains
- Sewer Pressurized Mains
- ◆ Water Hydrants
- ▲ Water System Valves
- Water Mains
- STORM INLET STRUCTURES
- ▼ STORM INTAKE STRUCTURES
- STORM OUTFALL STRUCTURES
- STORM_SEWER_PIPE
- DISTRIBUTION
- TRANSMISSION

N

1 inch = 300 feet
 City of Branson
 Planning & Development
 Date: 4/10/2020

**3309 W 76
 Country Blvd**

VICINITY MAPS - CURRENT ZONING



3309 W 76 Country Blvd

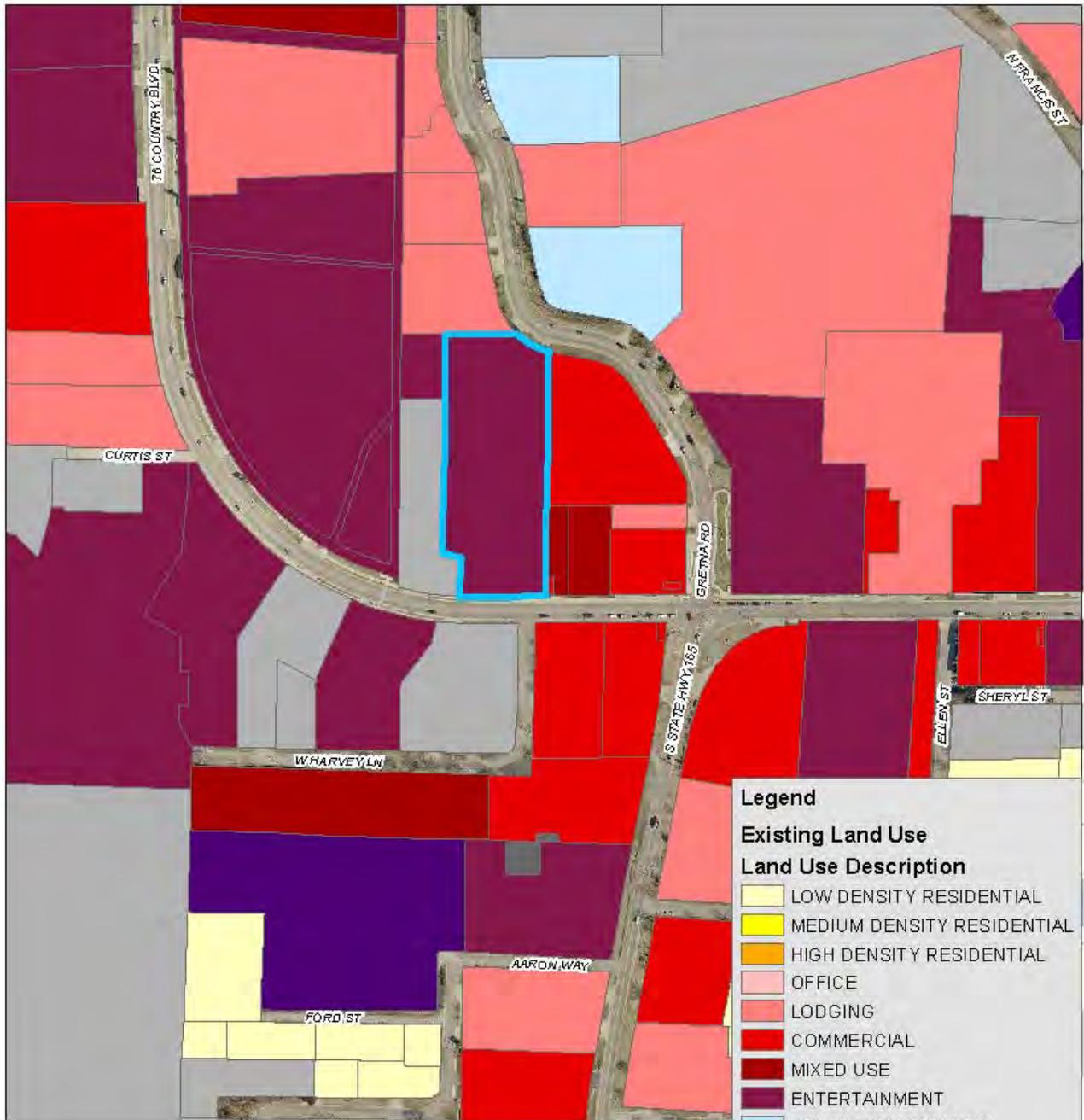


1 inch = 300 feet

City of Branson
 Planning & Development
 Date: 4/10/2020

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



1 inch = 300 feet

City of Branson
 Planning & Development
 Date: 4/10/2020

**3309 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 AND ZONING COMMISSION

RESOLUTION NO. 12-1.1 (12-00100001)

A PLANNING COMMISSION RESOLUTION AUTHORIZING THE DIRECTOR OF PLANNING AND DEVELOPMENT TO ISSUE A SPECIAL USE PERMIT FOR GATEWAY HELICOPTER TOURS, INC. DBA BRANSON HELICOPTER TOURS TO OPERATE A HELICOPTER TOUR BUSINESS AT 3309 W. HIGHWAY 76, BRANSON, MISSOURI.

WHEREAS, an application has been submitted to the City of Branson by Gateway Helicopter Tours Inc. DBA Branson Helicopter Tours for approval of a Special Use Permit to operate a helicopter tour business for 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 and Zoning Commission for the approval of a Special Use Permit; and,

WHEREAS, a Public Hearing was held before the Branson Planning and Zoning Commission on March 6, 2012, at 7:30 pm in the City Council Chambers located at 110 W. Maddux St., Branson, Missouri; and,

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

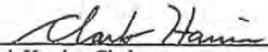
BE IT THEREFORE RESOLVED, that the Planning and Zoning Commission for the City of Branson hereby authorizes the Director of Planning and Development to issue a Special Use Permit for Gateway Helicopter Tours, Inc. DBA Branson Helicopter Tours to operate a helicopter tour business for property located at 3309 W. Highway 76, 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 may not be transferred from owner to owner. If Gateway Helicopter Tours, Inc. DBA Branson Helicopter Tours ceases operation for six (6) months or more, this Special Use Permit shall be null and void; and,
2. New structures shall require submittal of individual construction plans and specifications to the City of Branson for review and approval prior to any actual construction; and,
3. All construction and activities covered by the Special Use Permit shall conform to all Codes and Ordinances of the City of Branson; and,
4. 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,
5. Hours of operation shall be from 10:00 am until dusk, seven (7) days a week from March through December, and 10:00 am until dusk, Saturday through Sunday from January through February; and,
6. No flights of less than five (5) minutes in duration shall be permitted; and,
7. Only Robinson R-44 type helicopters shall be permitted to provide tours from this property; and,

12-00100001

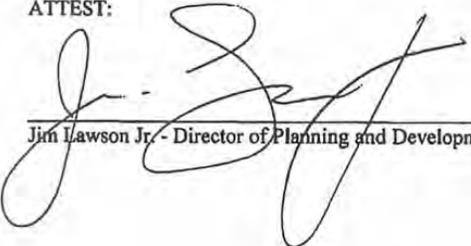
8. All departure and arrival paths shall be flown within the limits of the subject property; and,
9. The applicant shall provide approved FAA documentation for this location to the Planning and Development Department; and,
10. Gateway Helicopter Tours, Inc. DBA Branson Helicopter Tours shall agree to and sign the "Standard Operating Procedures for Helicopter Operators in the Branson Missouri Area" prior to any helicopter tour operations; and,
11. All employees of Gateway Helicopter Tours, Inc. DBA Branson Helicopter Tours shall park within the north parking area; and,
12. All conditions of this resolution authorizing the issuance of this special use permit shall be met on or before September 6, 2012; and,
13. This Special Use Permit shall be reviewed after a period of six (6) months in order to monitor the impacts of the business. The applicant shall only return to the Commission if a negative impact is deemed by the Director of Planning and Development.

DONE THIS 6TH DAY OF MARCH, 2012, BY THE PLANNING AND ZONING COMMISSION FOR THE CITY OF BRANSON, MISSOURI.



Clark Harris - Chairman

ATTEST:



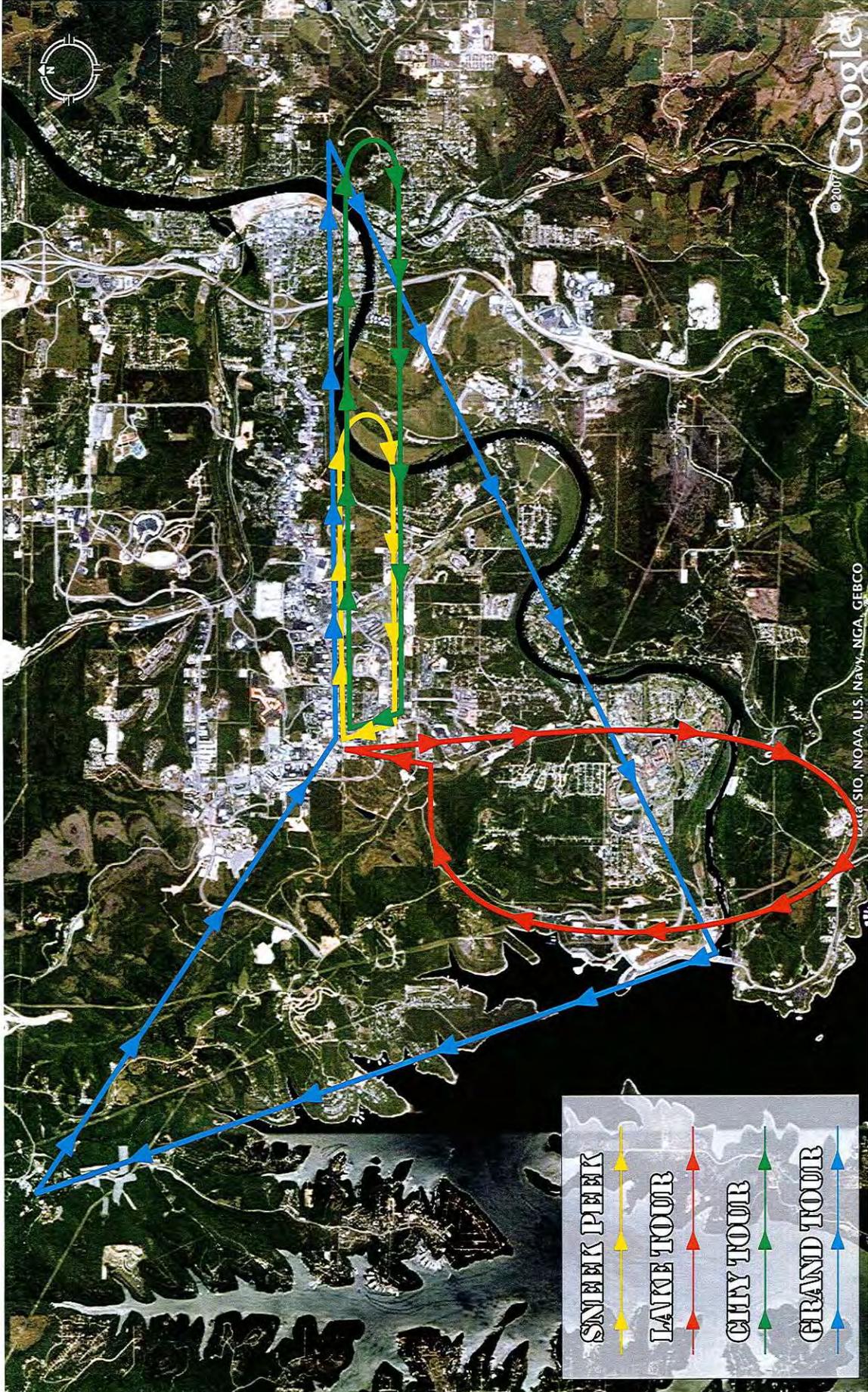
Jim Lawson Jr. - Director of Planning and Development

12-00100001

Exhibit 'A'

A tract of land situated in the SW1/4 of the NE1/4 of Section 2, Township 22, Range 22, Taney County, Missouri, being more particularly described as follows: Beginning at the Southwest corner of Plot 5 of Plot 2 of the survey of the said SW1/4 of the NE1/4, in Plat Book 12, at page 9, of the Taney County Recorder's Office, Taney County, Missouri; thence North 0° 33' West along the West line of said Plot 2, 570 feet; thence South 88° 53' East, 104.53 feet for a New Point of Beginning; thence continuing South 88° 53' East, 151.87 feet to the Westerly R/W of Gretna Road; thence Southeasterly along said R/W to a point being 332 feet East of the West line of said Plot 2; thence South 0° 33' East to the Northerly R/W of Hwy No. 76; thence South 86° 45' West, along said R/W 144.75 feet; thence Westerly along said R/W, along a 7.7602° curve to the right 45.27 feet; thence North 0° 33' West, 83.38 feet; thence North 80° 49' 56" West 45.96; thence North 0° 15' East 496.95 feet to the New Point of Beginning.

12-00100001



- SNEEK PEEK** 
- LAKE TOUR** 
- CITY TOUR** 
- GRAND TOUR** 

PLANNING AND ZONING COMMISSION

RESOLUTION NO. 20-3 (SU20-000003)

A PLANNING COMMISSION RESOLUTION AUTHORIZING THE DIRECTOR OF PLANNING AND DEVELOPMENT TO AMEND THE SPECIAL USE PERMIT, RESOLUTION 12-1.1, TO OPERATE A HELICOPTER TOUR BUSINESS WITHIN THE PROPERTY LOCATED AT 3309 WEST 76 COUNTRY BOULEVARD, BRANSON, MISSOURI.

WHEREAS, a Special Use Application has been submitted to the City of Branson by Branson Helicopters, LLC on behalf of The Track, LLC to amend the Special Use Permit, Resolution 12-1.1, to operate a helicopter tour business 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 an amendment to a Special Use Permit; and,

WHEREAS, a Public Hearing was held before the Planning Commission on May 5, 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 Director of Planning and Development to amend the Special Use Permit, Resolution 12-1.1, to operate a helicopter tour business within the property located at 3309 West 76 County Boulevard, 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 may not be transferred from owner to owner. If Branson Helicopters, LLC, ceases operation for six (6) months or more, this Special Use Permit shall be null and void; and,
2. New structures shall require submittal of individual construction plans and specifications to the City of Branson for review and approval prior to any actual construction; and,
3. All construction and activities covered by the Special Use Permit shall conform to all Codes and Ordinances of the City of Branson; and,
4. 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,

5. Hours of operation shall be from 10:00 am until dusk, seven (7) days a week from March through December, and 10:00 am until dusk, Saturday through Sunday from January through February; and,
6. All departure and arrival paths shall be flown within the limits of the subject property; and,
7. The applicant shall provide approved FAA documentation for this location to the Planning and Development Department; and,
8. Branson Helicopters, LLC shall agree to and sign the "Standard Operating Procedures for Helicopter Operators in the Branson Missouri Area" prior to any helicopter tour operations; and,
9. All conditions of this resolution authorizing the issuance of this special use permit shall be met on or before November 5, 2020.

DONE THIS 5TH DAY OF MAY, 2020, BY THE PLANNING AND ZONING COMMISSION FOR THE CITY OF BRANSON, MISSOURI.



Clark Harris - Chairperson

ATTEST:



Joel Hornickel - Director of Planning and Development

EXHIBIT 'A'

A TRACT OF LAND SITUATED IN THE SW1/4 OF THE NE1/4 OF SECTION 2, TOWNSHIP 22, RANGE 22, TANEY COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF PLOT 5 OF PLOT 2 OF THE SURVEY OF THE SAID SW1/4 OF THE NE1/4, IN PLAT BOOK 12, AT PAGE 9, OF THE TANEY COUNTY RECORDER'S OFFICE, TANEY COUNTY, MISSOURI; THENCE NORTH 0° 33' WEST ALONG THE WEST LINE OF SAID PLOT 2, 570 FEET; THENCE SOUTH 88° 53' EAST, 104.53 FEET FOR A NEW POINT OF BEGINNING; THENCE CONTINUING SOUTH 88° 53' EAST, 151.87 FEET TO THE WESTERLY R/W OF GRETNA ROAD; THENCE SOUTHEASTERLY ALONG SAID R/W TO A POINT BEING 332 FEET EAST OF THE WEST LINE OF SAID PLOT 2; THENCE SOUTH 0° 33' EAST TO THE NORTHERLY R/W OF HWY NO. 76; THENCE SOUTH 86° 45' WEST, ALONG SAID R/W 144.75 FEET; THENCE WESTERLY ALONG SAID R/W, ALONG A 7.7602° CURVE TO THE RIGHT 45.27 FEET; THENCE NORTH 0° 33' WEST, 83.38 FEET; THENCE NORTH 80° 49' 56" WEST 45.96; THENCE NORTH 0° 15' EAST 496.95 FEET TO THE NEW POINT OF BEGINNING.

PLANNING AND ZONING COMMISSION

RESOLUTION NO. SU20-8 (SU20-000008)

A PLANNING COMMISSION RESOLUTION AUTHORIZING THE DIRECTOR OF PLANNING AND DEVELOPMENT TO AMEND A SPECIAL USE PERMIT, RESOLUTION SU20-3, TO ALLOW A HELICOPTER TOUR BUSINESS TO OPERATE WITHIN THE PROPERTY LOCATED AT 3309 W. 76 COUNTRY BOULEVARD, BRANSON, MISSOURI.

WHEREAS, a Special Use Application has been submitted to the City of Branson by Branson Helicopters, LLC on behalf of The Track, LLC to amend a Special Use Permit, Resolution SU20-3, allowing a helicopter tour business to operate 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 amending a Special Use Permit; and,

WHEREAS, a Public Hearing was held before the Planning Commission on November 3, 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 Director of Planning and Development to amend a Special Use Permit, Resolution SU20-3, to allow a helicopter tour business to operate within the property located at 3309 West 76 County Boulevard, 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 Branson Helicopters, LLC ceases operation for six (6) months or more, this Special Use Permit shall be null and void; and,
2. New structures shall require submittal of individual construction plans and specifications to the City of Branson for review and approval prior to any actual construction; and,
3. All construction and activities covered by the Special Use Permit shall conform to all Codes and Ordinances of the City of Branson; and,
4. 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,

5. Hours of operation shall be between 10:00 am and 10:00 pm, seven (7) days a week, and based on weather conditions for safe operations; and,
6. All departure and arrival paths shall be flown within the limits of the subject property; and,
7. The applicant shall provide approved FAA documentation for this location to the Planning and Development Department; and,
8. Branson Helicopters, LLC shall agree to and sign the “Standard Operating Procedures for Helicopter Operators in the Branson Missouri Area” prior to any helicopter tour operations; and,
9. If all conditions of this Resolution authorizing the issuance of this Special Use Permit are not acted upon on or before January 1, 2022, this Special Use Permit shall be null and void.

DONE THIS 3RD DAY OF NOVEMBER, 2020, BY THE PLANNING AND ZONING COMMISSION FOR THE CITY OF BRANSON, MISSOURI.

Clark Harris - Chairperson

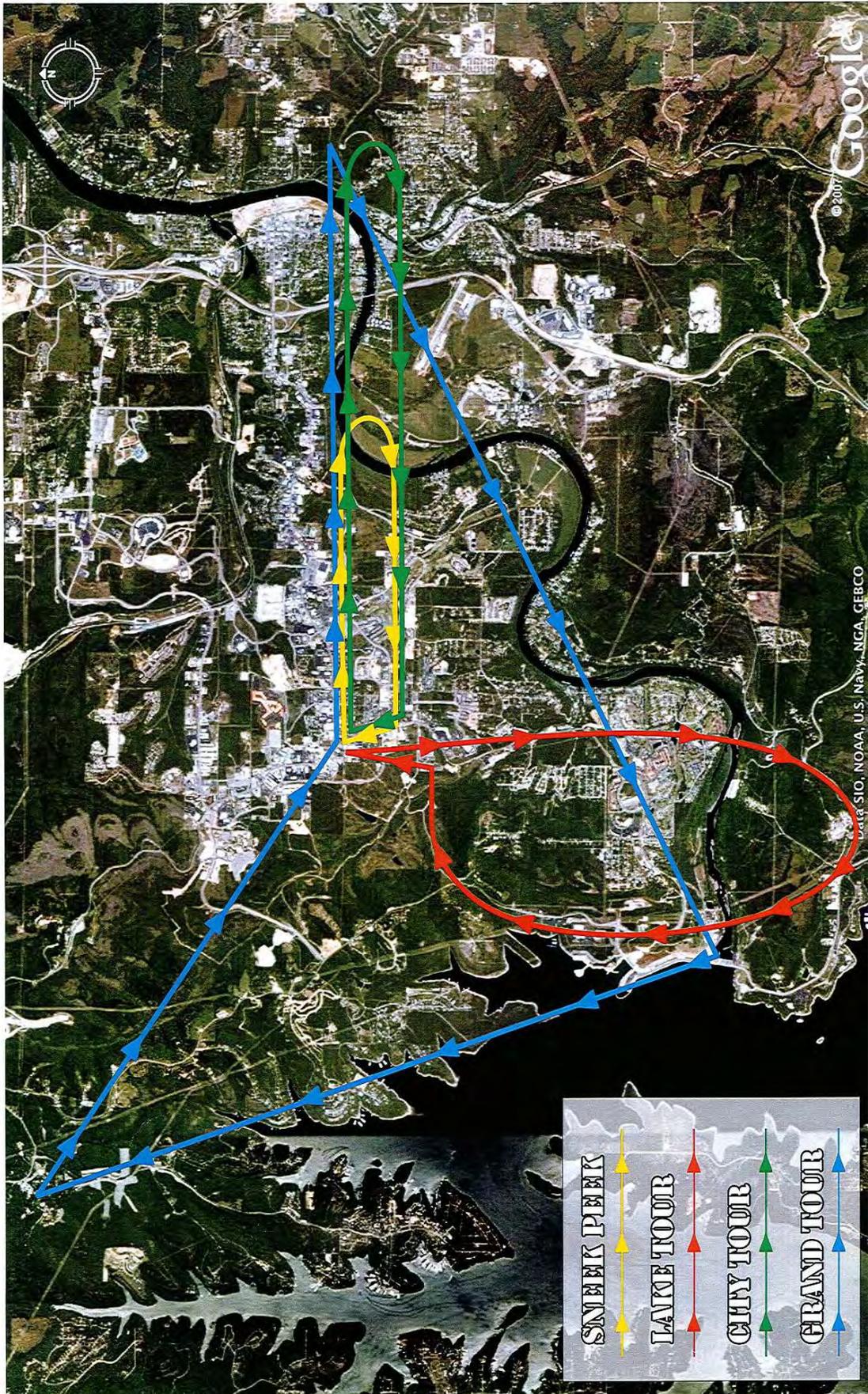
ATTEST:

Joel Hornickel - Director of Planning and Development

EXHIBIT 'A'

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EXHIBIT 'B'



PLANNING COMMISSION

November 3, 2020

ROLL CALL

PUBLIC COMMENTS

REGULAR AGENDA ITEMS

1) Approve Minutes

(a) Planning Commission Regular Meeting

(October 6, 2020)

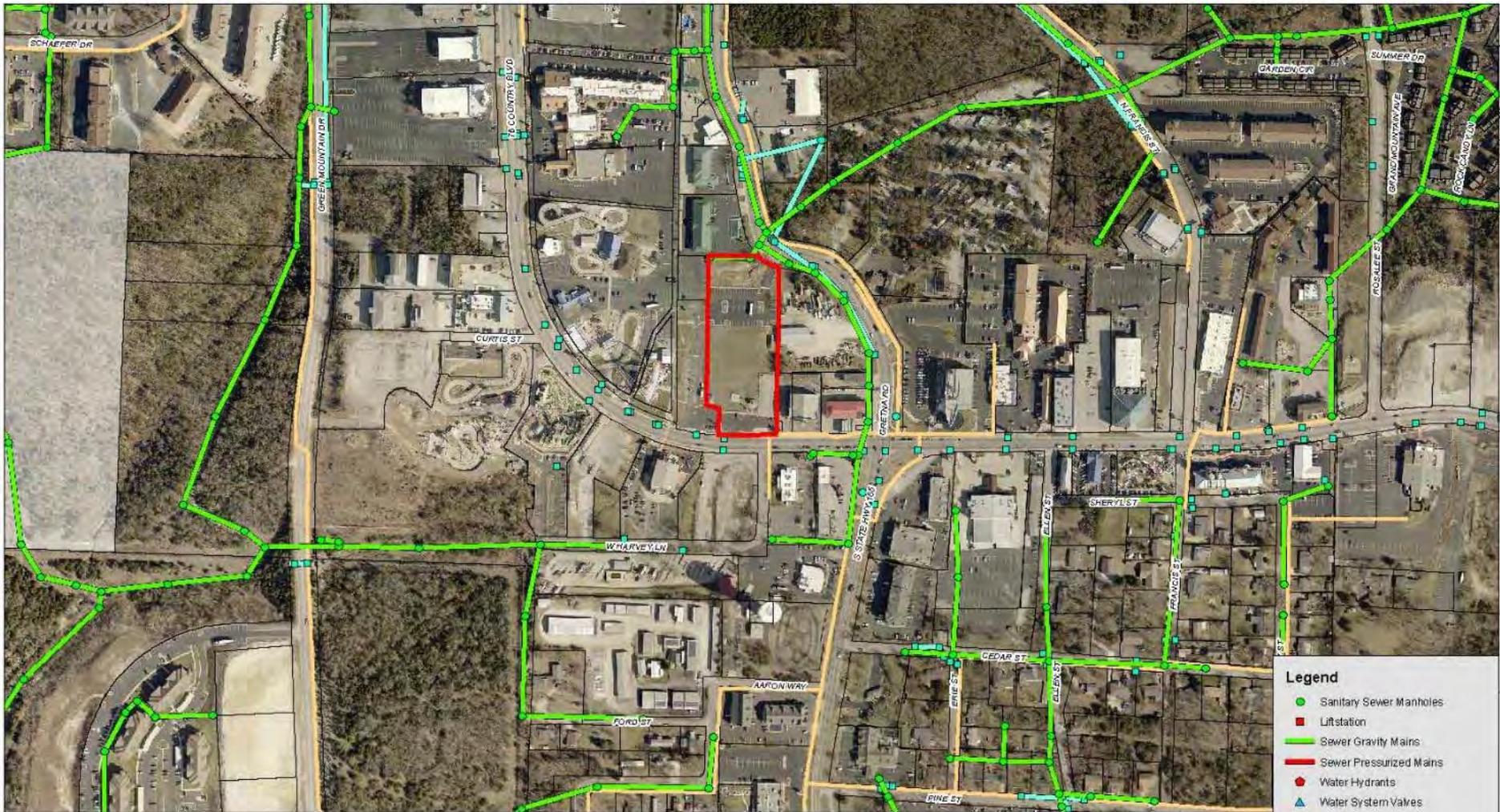
OLD BUSINESS

2) AMEND SPECIAL USE PERMIT

3309 WEST 76 COUNTRY BOULEVARD

- Applicant: Branson Helicopters, LLC (The Track, LLC)
- Current Zoning: Entertainment (ENT)
- Applicant's Request: To amend the Special Use Permit to operate a helicopter tour business





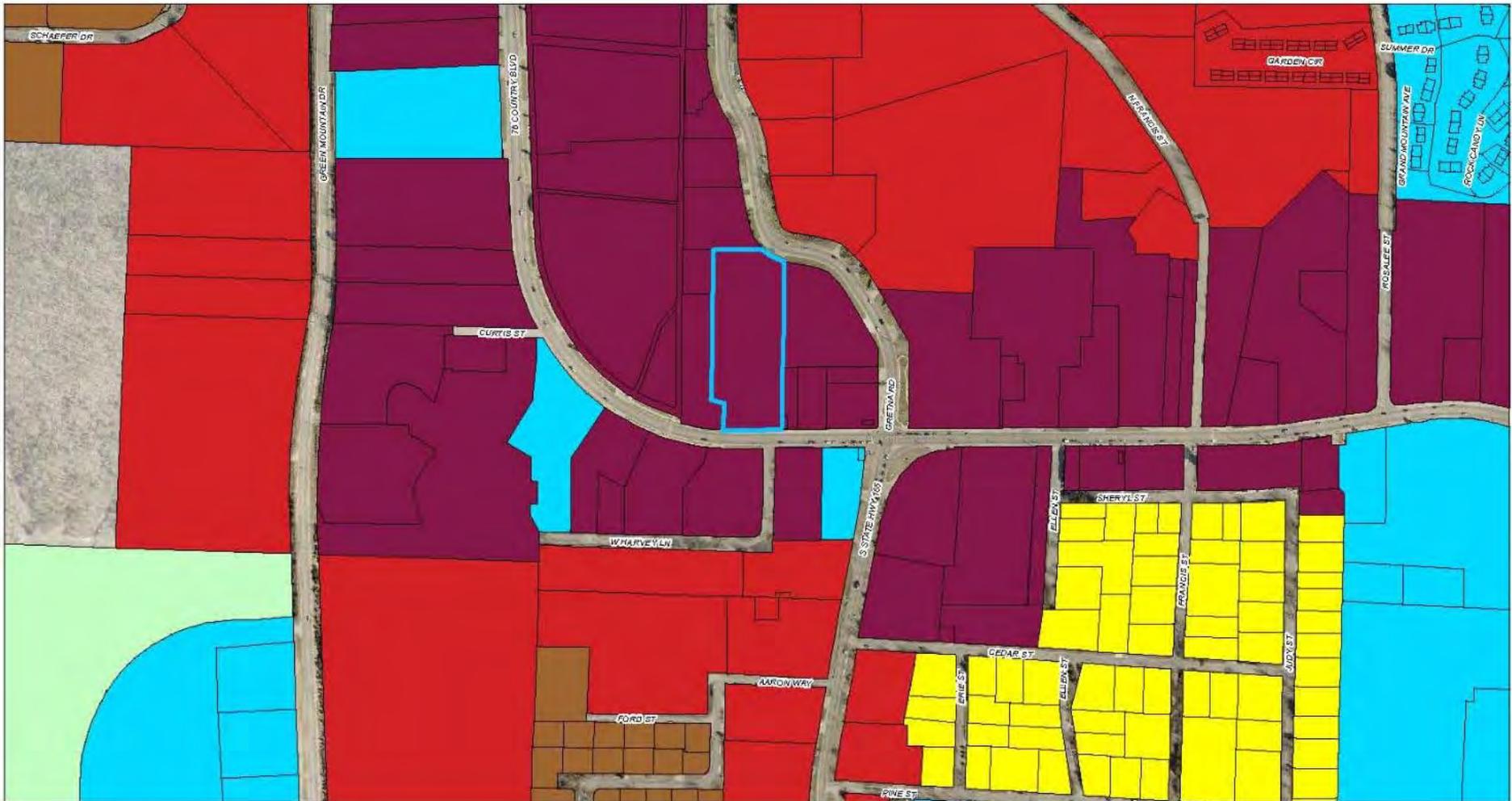
3309 W 76 Country Blvd

- 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: 4/10/2020



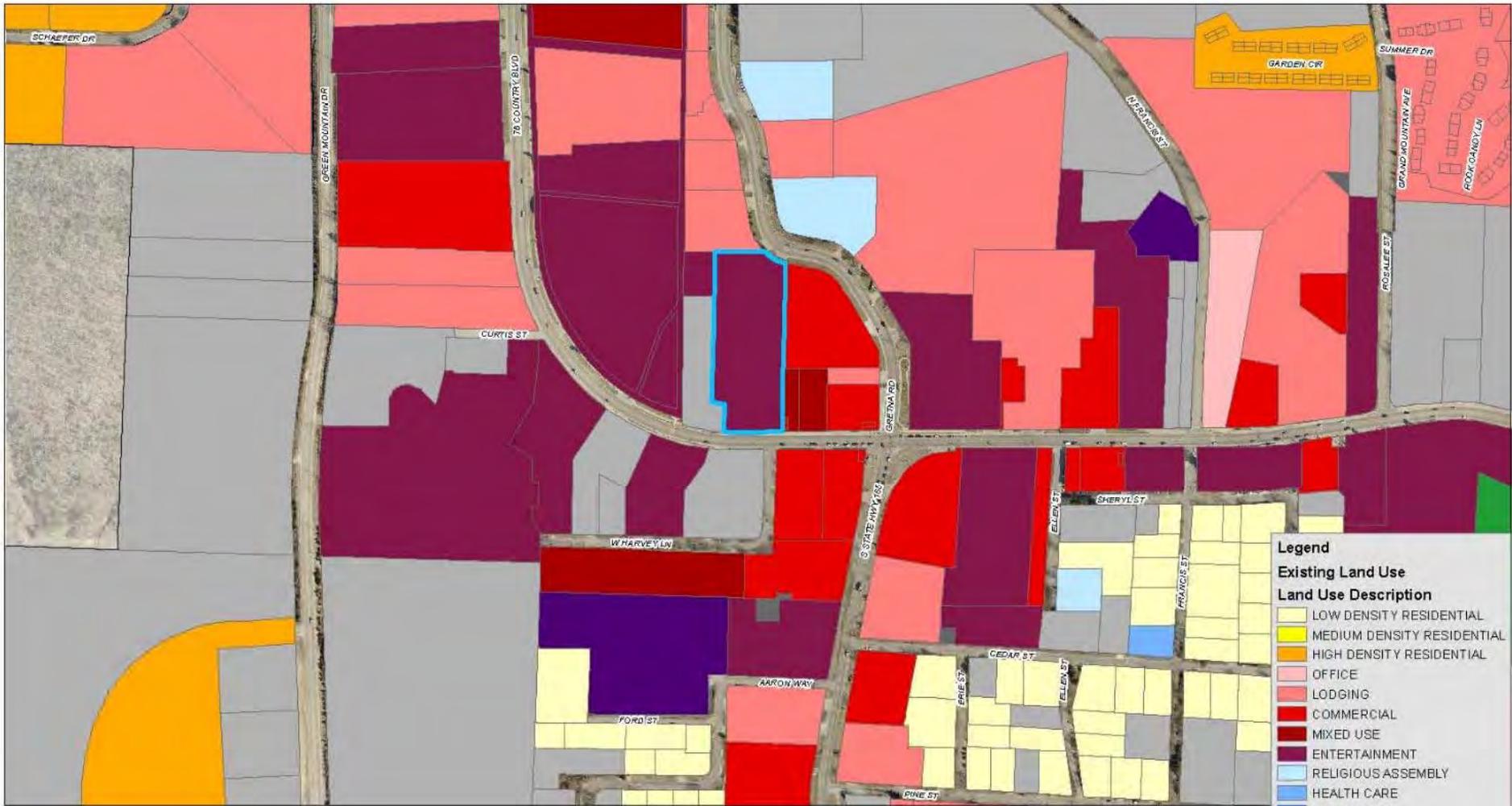
3309 W 76 Country Blvd



1 inch = 300 feet

City of Branson
 Planning & Development
 Date: 4/10/2020

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 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
[Green Box]	RECREATION
[Light Green Box]	OPEN SPACE
[Light Green Box]	AGRICULTURAL
[Grey Box]	UTILITIES
[White Box]	VACANT
[White Box]	TANEY COUNTY

3309 W 76 Country Blvd



1 inch = 300 feet

City of Branson
 Planning & Development
 Date: 4/10/2020

2) AMEND SPECIAL USE PERMIT

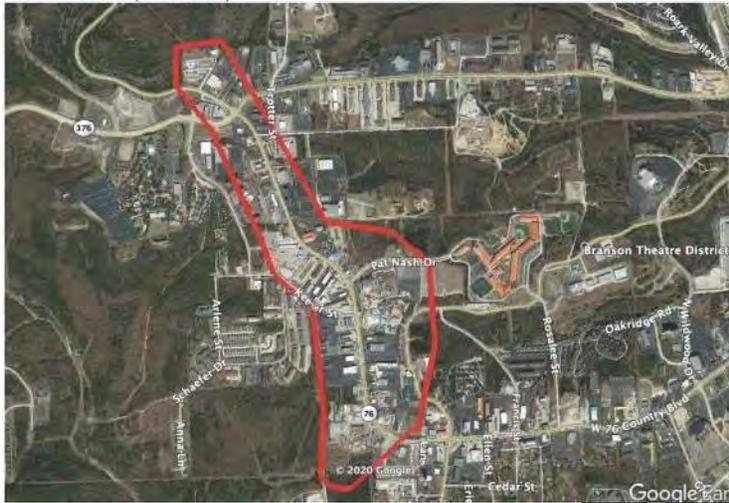


2) AMEND SPECIAL USE PERMIT

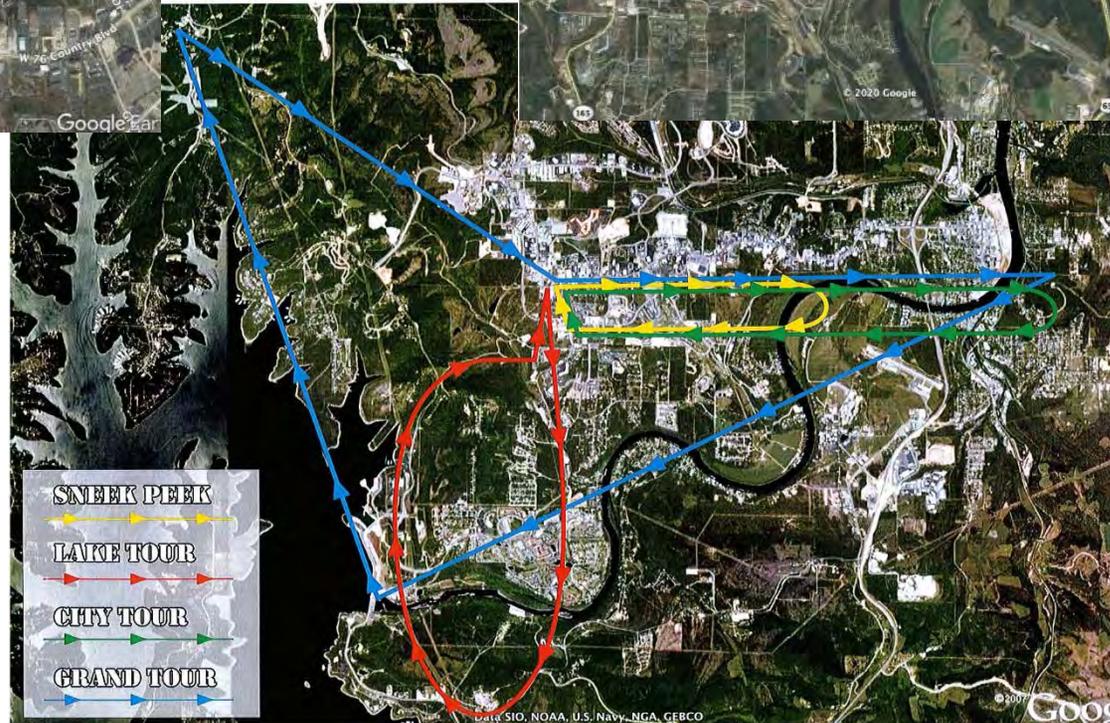
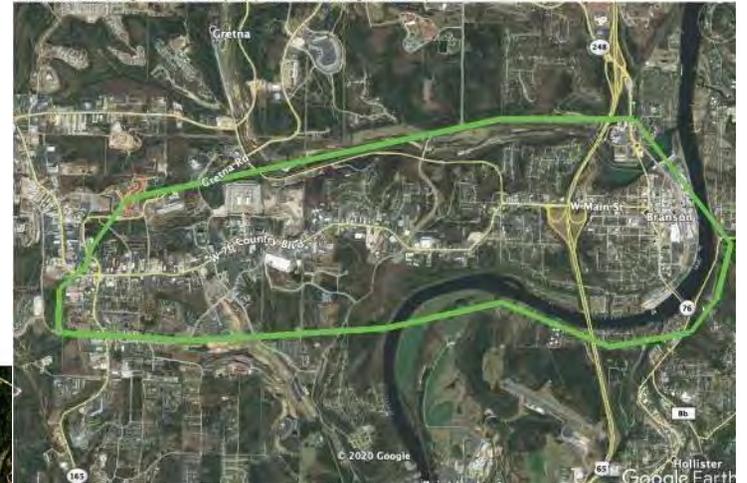
- Request to amend existing Special Use Permit to operate a helicopter tour business (May 2020 – Res. SU20-3):
 - Amend Condition 5 pertaining to hours of operation
 - Simplify condition for greater flexibility
 - Drop seasonality of hours
 - Allow flights until 10:00 pm instead of dusk
 - » Provides opportunity to offer flights for viewing Christmas lights and displays during the fall and winter months
 - » Provides little additional opportunity in summer months
- Special Use Permit
 - Approved in March 2012 (Res. 12-1.1)
 - Amended in May 2020 (Res. SU20-3)

2) AMEND SPECIAL USE PERMIT

The Intro Tour – (New Route)



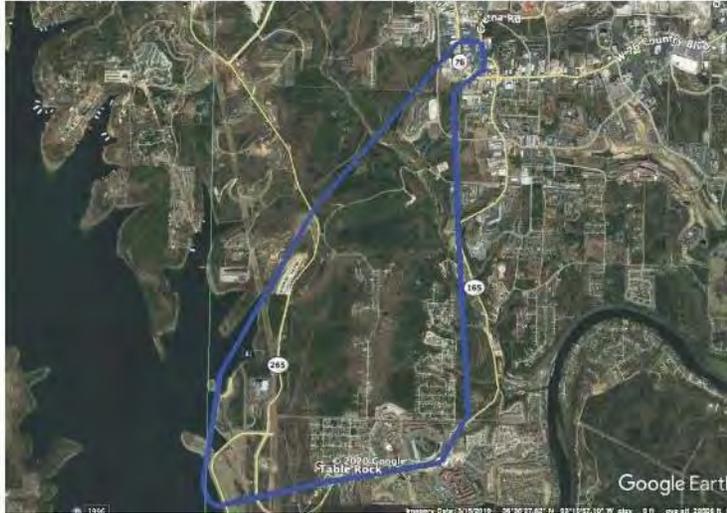
Branson Landing – (Currently approved on original SUP)



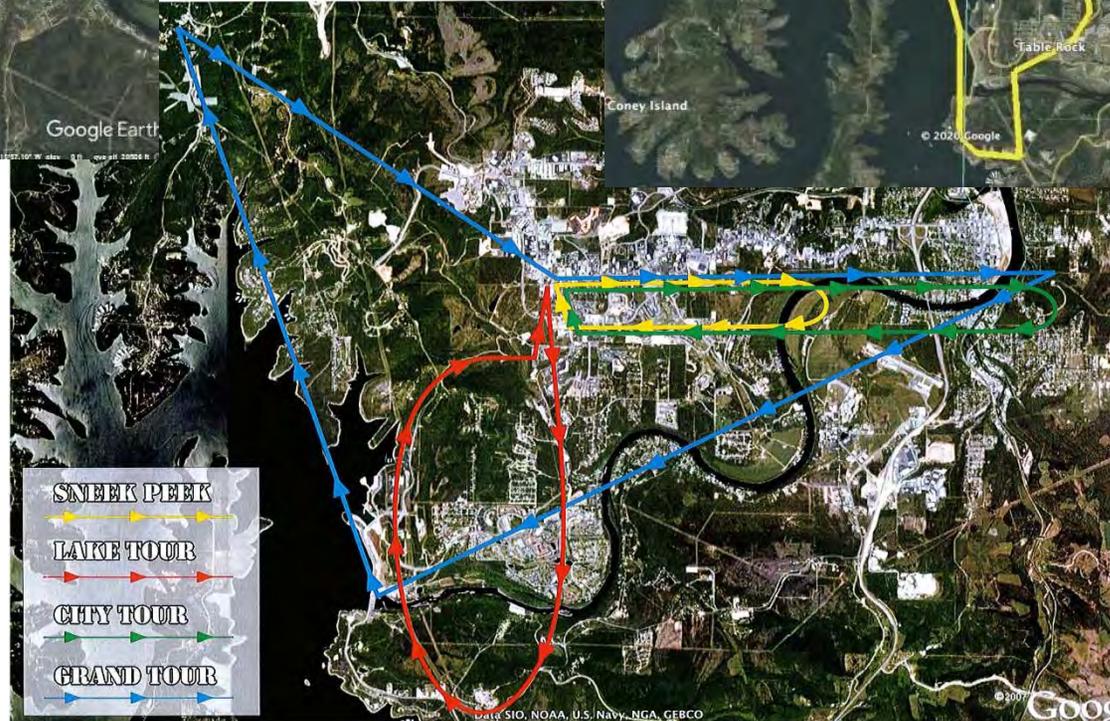
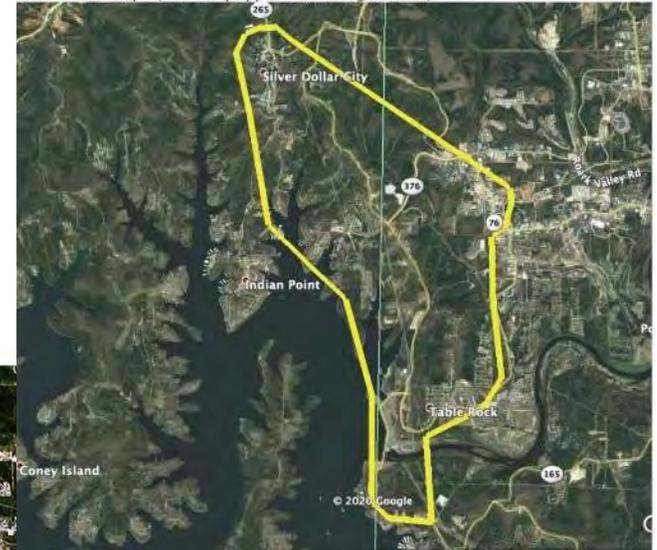
- SNEEK PEEK
- LAKE TOUR
- CITY TOUR
- GRAND TOUR

2) AMEND SPECIAL USE PERMIT

The Lake and Dam Tour – (Currently approved on original SUP)



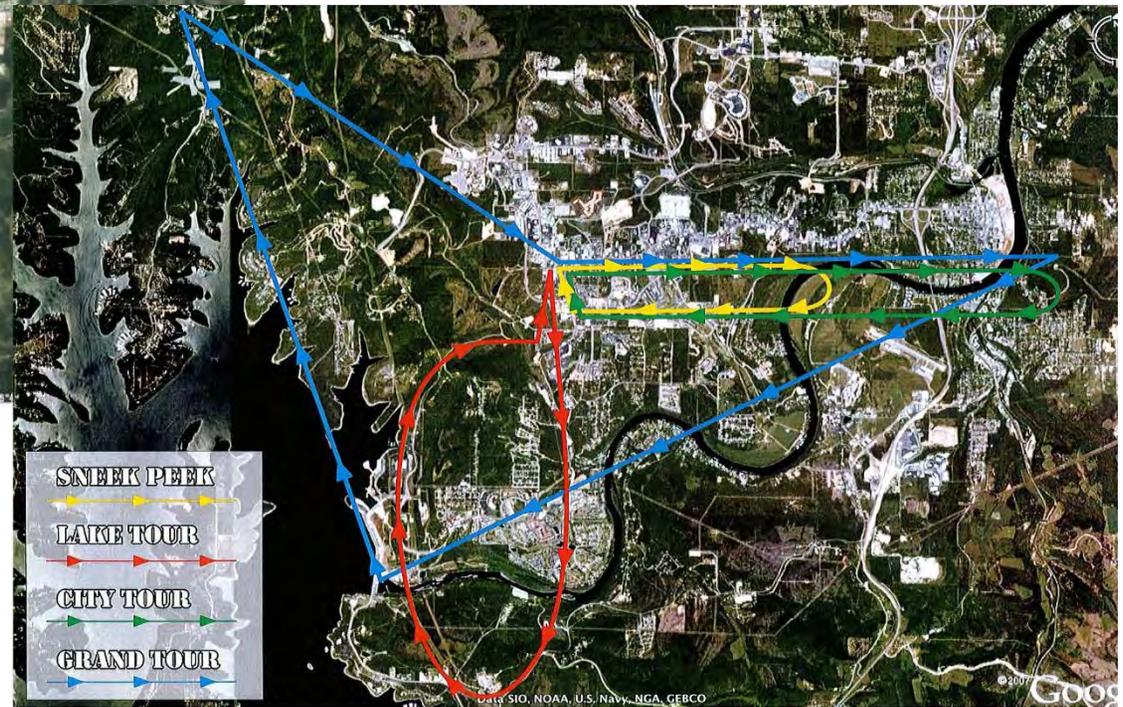
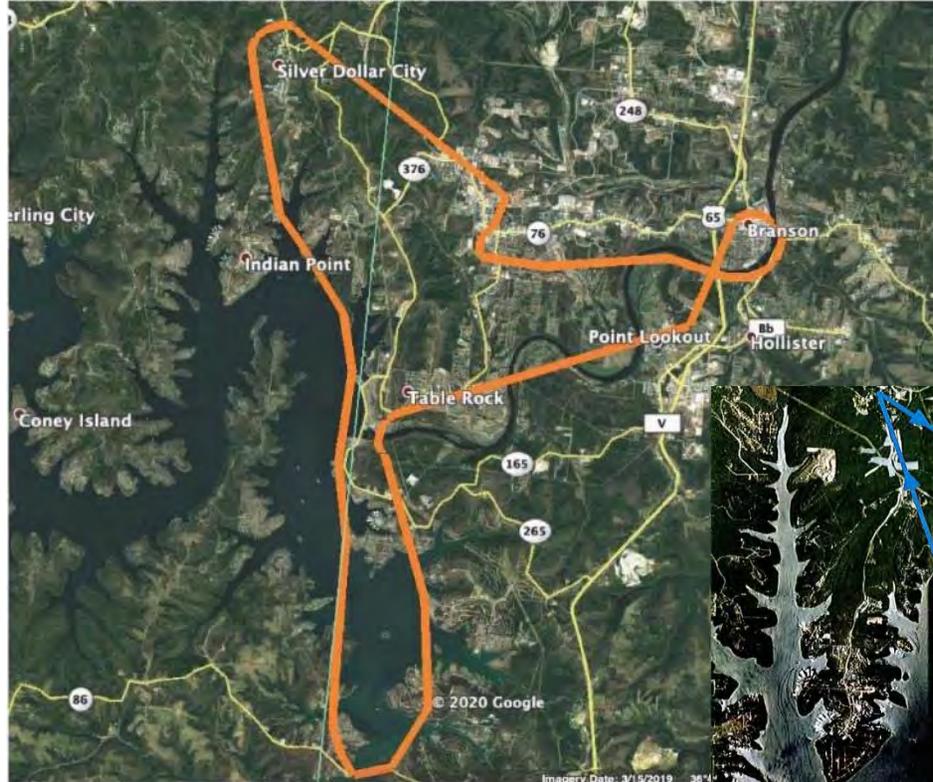
Silver Dollar City – (Currently approved on original SUP)



- SNEEK PEEK
- LAKE TOUR
- CITY TOUR
- GRAND TOUR

2) AMEND SPECIAL USE PERMIT

Deluxe – (Currently approved on original SUP)



- SNEEK PEEK
- LAKE TOUR
- CITY TOUR
- GRAND TOUR

2) AMEND 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 Branson Helicopters, LLC ceases operation for six (6) months or more, this Special Use Permit shall be null and void; and,
- 2) New structures shall require submittal of individual construction plans and specifications to the City for review and approval prior to any actual construction; and,
- 3) All construction and activities covered by the Special Use Permit shall conform to all Codes and Ordinances of the City; and,

2) AMEND SPECIAL USE PERMIT

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

- 4) 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,
- 5) Hours of operation shall be between 10:00 am and 10:00 pm, seven (7) days a week, and based on weather conditions for safe operations; and,
- 6) All departure and arrival paths shall be flown within the limits of the subject property; and,

2) AMEND SPECIAL USE PERMIT

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

- 7) The applicant shall provide approved FAA documentation for this location to the Planning and Development Department; and,
- 8) Branson Helicopters, LLC shall agree to and sign the “Standard Operating Procedures for Helicopter Operators in the Branson Missouri Area” prior to any helicopter tour operations; and,
- 9) If all conditions of this Resolution authorizing the issuance of this Special Use Permit are not acted upon on or before January 1, 2022, this Special Use Permit shall be null and void.

3) DISCUSSION

USE/STORAGE OF BUSES, MOTOR HOMES, RECREATION MOTOR VEHICLES, OR OTHER SIMILAR VEHICLES WITHIN A PROPERTY CONTAINING A THEATER USE

3) DISCUSSION

BMC Sec. 38-78. – Recreational vehicles

Placed on sites within all unnumbered and numbered A zones and AE zones on the community's FIRM shall be required to:

- Be on the site for fewer than 180 consecutive days
- Meet the permitting, elevation, and the anchoring requirements for manufactured homes of this chapter; or
- Be fully licensed and ready for highway use. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect type utilities and security devices, and has no permanently attached additions.

3) DISCUSSION

BMC Sec. 86-351. - Parking of certain vehicles prohibited in residential areas

(a) No truck rated larger than three-fourths ton, no mobile home, no pickup camper, no camping trailer, no boat, no self-contained motorized home, and no trailer shall be permitted to be parked on any public street in a residential district.

3) DISCUSSION

BMC Sec. 86-351. - Parking of recreational vehicles; discard of waste prohibited

(b) It shall not be a violation of this section to park a recreational vehicle, camper, mobile home, or motor home in the parking lot of a business establishment during the hours the business shall be open to the public provided such parking shall be related to the business of the on-premise establishment during the time it takes to complete that business.

(c) Any overnight parking of an occupied recreational vehicle shall be at an establishment designed for that purpose, and that offers the owner purpose-built receptacles or containers for sewage, litter, and waste.

(d) It shall not be a violation of this section to park a recreational vehicle, camper, mobile home, or motor home upon areas specifically designated as camping areas with the facilities available for campers, and in designated parking spaces.

3) DISCUSSION

BMC Sec. 94-5. - Definitions

Campground and vehicle park means any parcel or tract of land upon which two or more campsites are occupied, or intended to be occupied, for overnight camping

Campsite means a portion of the rentable space of a campground have an area 580 square feet or more

Recreational vehicle park means any property where one or more lots are rented to users of recreational vehicles, and which are occupied for temporary purposes (SU: CON, A, CC, ENT, D)

3) DISCUSSION

Considerations identified by staff:

- Location of theater
 - zoning district, adjacency to residential areas, adjoining street classification
- Location of use within a property
 - visibility, access, utility hookups
- Minimum size of property and/or theater
- Duration of use when active and when inactive (storage)
- Type and size of vehicles
- Approval options:
 - Permitted Use
 - Special Use
 - Temporary Use
 - Not allowed

3) DISCUSSION

Permitted Use (with supplemental use standards):

- Can be allowed without additional approvals or review, which equates to no additional cost or process
- Theater
 - Community Commercial (CC)
 - Mixed Use (MU)
 - Downtown (D)
 - Entertainment (ENT)

3) DISCUSSION

Special Use:

- Can be allowed with Planning Commission approval, which equates to the need for applicant to make a request (\$1,014.00)
- Site specific conditions can be combined with an approval and be established for that property...or not

3) DISCUSSION

Temporary Use:

- Can be allowed with staff, which equates to the need for applicant to make a request (\$50.00)
- Would require an applicant (property owner) to make request annually
- Can limit the occurrences per year as well as the number of days per occurrence

3) DISCUSSION

**Planning Commission Thoughts,
Questions, Concerns and Direction...**

COMMISSIONER & STAFF REPORTS

ADJOURNMENT

