NOTICE OF MEETING

PLANNING COMMISSION

Regular Meeting – March 3, 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) November 5, 2019 Study Session
   b) November 5, 2019 Regular Meeting

OLD BUSINESS

PUBLIC HEARING AGENDA ITEMS

2) Request for a Planned Development Amendment to PD 2003-003, known as Branson Landing, Pertaining to Uses and Signage for the Properties Located at 482, 486 and 490 Branson Landing Boulevard, Branson, Missouri.

COMMISSIONER AND STAFF REPORTS

ADJOURN

[Powerpoint]

PLANNING COMMISSION
STUDY SESSION

November 5, 2019
6:30 PM
Planning and Development Conference Room

ROLL CALL

Commissioners Present:	Commissioners Howden, Loyd, O'Day, Skains, Vice-Chairperson Pinkley and Chairperson Harris	
Commissioners Absent:	Commissioners Davis, Nichols, Richards and Romine	
Staff Present:	Joel Hornickel	Director of Planning & Development
	Perry Eckhardt	Senior Planner
	Chris Lebeck	City Attorney

AGENDA

DIRECTOR'S REPORT

Mr. Hornickel stated the City had recently been awarded the 2019 Best Implementation Award by the Missouri Chapter of the American Planning Association during the Quad State Annual Conference for the city's creation of a Unified Development Code. He stated the effort to update and combine the zoning, landscape, subdivision and signs codes had been a significant accomplishment which had been identified as a priority by the Community Plan 2030. He thanked the Planning Commissioners for their time and energy in the process.

DISCUSSION OF PREVIOUS AGENDA ITEMS

Mr. Hornickel stated the request to rezone a portion of the Point Entertainment Complex Planned Development to Community Commercial had been approved by the Board of Aldermen on its first reading. He stated the final reading was set for November 12, 2019.

UPDATE OF ONGOING PROJECTS

Mr. Hornickel stated staff had been given direction on how to proceed with the Community Plan 2030 update during a recent Board of Aldermen Study Session. He stated staff would be

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preparing a list of recommended stakeholder groups to be represented on a Steering Committee to lead the effort. He stated staff had been in conversations with the Southwest Missouri Council of Governments about providing assistance with the update. He stated their assistance would be able to be provided as a benefit for the city being a member of their organization and at half the budgeted amount.

Mr. Hornickel stated staff was continuing to work with Citizenserve on the city's new online permit portal. He stated the building permit module should go live on January 6, 2020. He provided a brief demonstration to the Planning Commissioners of Citizenserve and the process to request a permit online.

REVIEW OF NOVEMBER 5, 2019 PLANNING COMMISSION AGENDA

Mr. Hornickel stated the multiple zoning items on the agenda for the Lodges at Chateau Cove would hopefully be the last round. He stated worst case there may be one additional property.

REQUEST FOR ITEMS TO BE PLACED ON FUTURE AGENDAS

None.

ADJOURNMENT

Motion by Commissioner Howden and seconded by Commissioner Loyd, and unanimously carried to adjourn the meeting at 6:55 PM.

_____ _____
Clark Harris, Chairperson Date

_____ _____
Joel Hornickel, Director of Planning & Development Date

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PLANNING COMMISSION
REGULAR MEETING

November 5, 2019
7:00 PM
Council Chambers

CALL TO ORDER

ROLL CALL

Commissioners Present:	Commissioners Davis, Howden, Loyd, O'Day, Richards, Romine, Skains, Vice-Chairperson Pinkley and Chairperson Harris	
Commissioners Absent:	Commissioner Nichols	
Staff Present:	Joel Hornickel	Director of Planning & Development
	Perry Eckhardt	Senior Planner
	Chris Lebeck	City Attorney
	Kendall Powell	Utilities Operations and Development Manager
	Randy Fogle	Division Fire Chief of Technical Services
	Matt Filice	Assistant City Engineer

PUBLIC COMMENTS

None.

REGULAR AGENDA ITEMS

1. Approve Minutes

a) October 1, 2019 Study Session
b) October 1, 2019 Regular Meeting

MOTION:
Motion by Commissioner Skains and seconded by Commissioner Romine to approve the October 1, 2019 minutes as presented by staff. Motion unanimously carried.

OLD BUSINESS

None.

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PUBLIC HEARING AGENDA ITEMS

2. Request for a Special Use Permit to Operate a Restaurant with a Drive-Thru within the Property Located at 302 Veterans Boulevard, Branson, Missouri.
Project No. 19-1.5 (19-00100005)
Owner/Applicant: Timber Point Properties, LLC/Robert Huels

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

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

Commissioner Howden asked if staff considered the speed limit on Veterans Boulevard during their review.

Mr. Hornickel stated they did along with the distance the drive thru was from the intersection and from curb cuts, as well as existing sight distances. He stated the request would meet the code requirements for a drive-thru.

Commissioner Howden asked if there was any concern with employees taking food from the smoker to the restaurant, through the drive-thru.

Mr. Hornickel stated the Taney County Health Department had reviewed and approved the restaurant's process and practices. He stated staff was not concerned with the employees walking through the staking lanes to enter and exit the restaurant because they would have an increased awareness of the property's circulation patterns.

Commissioner Richards asked if there were any additional safety concerns for the smoker.

Mr. Hornickel stated the Fire Department had reviewed and approved the use of the smoker as part of their initial business license inspection.

Commissioner Davis asked how the restaurant would handle their grease.

Mr. Hornickel stated they would be required to comply with the city's Fats, Oils, and Grease Program.

Mr. Powell approached and stated the property installed a grease trap and it was reviewed during their business license inspection. He stated they would need to work with a hauler to have the grease removed regularly from the property and then taken to a licensed facility.

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

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Mr. Robert Huels approached and stated he was the applicant. He stated the restaurant was already open as it completed both the building and business license processes successfully. He stated he missed that they needed an additional approval to use the existing drive-thru window.

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

MOTION:

Motion by Commissioner Skains and seconded by Commissioner Howden to approve Resolution 19-1.5 as presented.

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

Motion to approve Resolution 19-1.5 carried with an 9-0 vote.

3. Request for High Density Residential (HDR) Zoning for the Property Located at 111 Chateau Cove Drive, Branson, Missouri.
Project No. 19-2.14 (19-00200014)
Owner/Applicant: Bacana, LLC/Brian Hanson

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

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

MOTION:

Motion by Commissioner Skains and seconded by Commissioner Romine to approve Resolution 19-2.14 as presented.

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

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Motion to approve Resolution 19-2.14 carried with an 8-0 vote and one abstention by Commissioner Richards.

4. Request for High Density Residential (HDR) Zoning for the Property Located at 250 Chateau Cove Drive, Branson, Missouri.
Project No. 19-2.15 (19-00200015)
Owner/Applicant: BVH Investments, LLC/David Schmitz

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

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

MOTION:

Motion by Commissioner Skains and seconded by Commissioner Romine to approve Resolution 19-2.15 as presented.

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

Motion to approve Resolution 19-2.15 carried with an 8-0 vote and one abstention by Commissioner Richards.

5. Request for High Density Residential (HDR) Zoning for the Property Located at 125 Lakefront Drive, Branson, Missouri.
Project No. 19-2.16 (19-00200016)
Owner/Applicant: FAE Melinda Mills, LLC and FAE Glenda Larkin, LLC

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

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

MOTION:

Motion by Commissioner Skains and seconded by Commissioner Howden to approve Resolution 19-2.16 as presented.

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

Motion to approve Resolution 19-2.16 carried with an 8-0 vote and one abstention by Commissioner Richards.

6. Request for High Density Residential (HDR) Zoning for Property to be Located within the Lodges at Chateau Cove, Branson, Missouri.
Project No. 19-2.17 (19-00200017)
Owner/Applicant: Lodges at Chateau Cove, LLC/City of Branson

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

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

MOTION:

Motion by Commissioner Skains and seconded by Commissioner Howden to approve Resolution 19-2.17 as presented.

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

Motion to approve Resolution 19-2.17 carried with an 8-0 vote and one abstention by Commissioner Richards.

7. Request for High Density Residential (HDR) Zoning for the Property Located at 115 Lakefront Drive, Branson, Missouri.
Project No. 19-2.18 (19-00200018)
Owner/Applicant: William and Juli Voloch

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

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

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MOTION:

Motion by Commissioner Skains and seconded by Commissioner Howden to approve Resolution 19-2.18 as presented.

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

Motion to approve Resolution 19-2.18 carried with an 8-0 vote and one abstention by Commissioner Richards.

8. Request for a Municipal Code Amendment to Chapter 94 – Zoning, Pertaining to Uses.
Project No. 19-12.8 (19-01200008)
Applicant: City of Branson (Planning & Development Department)

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

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

Commissioner Howden asked what the logic was for limiting the area for residential uses within a live/work structure.

Mr. Hornickel stated it was up to each city to determine what factors were most important to them. He stated because Branson did not review many live/work structures, staff believed having the most flexibility would make it a more desirable use. He stated there were other requirements that address and protect the commercial portions within the Downtown District.

Chairperson Harris asked if there were additional requirements when a residential and commercial use exist within the same structure.

Mr. Hornickel stated the adopted building codes do require specific spacing requirements between residential and commercial uses which can be achieved through layers of drywall, wall thickness and fire suppression systems.

Commissioner Davis asked if the proposed change would allow all types of clinics to be located within the Entertainment District.

Mr. Hornickel stated the proposed change would not allow medical marijuana clinics within the Entertainment District because they were defined as an entirely different use which have different requirements.

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

MOTION:

Motion by Commissioner Davis and seconded by Commissioner Skains to approve Resolution 19-12.8 as presented.

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

Motion to approve Resolution 19-12.8 carried with an 9-0 vote.

COMMISSIONER & STAFF REPORTS

Mr. Hornickel stated he would be representing the city at the Missouri Housing Development Commission's Public Hearing in Springfield on November 6, 2019 to support the five applications being considered for funding.

ADJOURN

Motion by Commissioner Pinkley, seconded by Commissioner Howden, and unanimously carried to adjourn the meeting at 7:35 PM.

_____ _____
Clark Harris, Chairperson Date

_____ _____
Joel Hornickel, Director of Planning & Development Date

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Branson Planning Commission
Staff Report and Recommendation
Project No. 20-5.1 (20-00500001)

LOCATION:	**1001 SHEPHERD OF THE HILLS EXPRESSWAY**
OWNER/APPLICANT:	**GOOD SHEPHERD MEADOWS, L.P. AND EXPRESSWAY INN/ JOE COMPTON**
ITEM/SUBJECT:	**REQUEST FOR A PLANNED DEVELOPMENT AMENDMENT TO PD-2006-003, KNOWN AS SIGHT AND SOUND THEATERS, PERTAINING TO USES FOR THE PROPERTIES LOCATED AT 1001 SHEPHERD OF THE HILLS EXPRESSWAY, BRANSON, MISSOURI.**
DATE:	**MARCH 3, 2020**
INITIATING DEPARTMENT:	**PLANNING & DEVELOPMENT**

COMMUNITY PLAN 2030:	**LU-5. Development Codes & Regulations. Development codes and zoning regulations will encourage high quality, new development and redevelopment.**

APPROVED BY:

Director of Planning & Development — Date: FEB 25, 2020

STAFF REPORT:

A Planned Development Application has been received from Joe Compton on behalf of Good Shepherd Meadows, L.P., and Expressway Inn, to amend Planned Development PD-2006-003, known as Sight and Sound Theaters, pertaining to uses. This development is located at the southeast corner of Shepherd of the Hills Expressway and Expressway Lane. It is approximately 44.5 acres more or less and contains an existing 140,000 square foot theater built in 2008, parking, and open space.

The Planned Development established three tracts (A, B, and C) within the development with the majority of the existing development located within the largest, Tract A. In contrast, Tracts B and C are smaller and vacant. The applicant's specific request is to modify the list of Uses by Right (Section 2) for Tracts A and C within the Land Use Regulations of the Planned Development so agricultural uses, particularly pastures for the show's animals, are allowed. The applicant's goal is to create outdoor pastures which will provide fresh air and sunlight for the show's livestock to improve their well-being and quality of life as compared to their current indoor spaces.

The primary proposed pasture area is shown within the northeast portion of Tract A along Motley Drive with access provided from one of the existing parking lots. The secondary pasture area is shown within Tract C. The applicant has additionally proposed supplement standards for the animal pasture use including double-fencing as required by the United States Department of Agriculture to keep the public and animals out of reach from each other, a 10-foot landscape buffer yard between any pasture and neighboring properties, site lighting and cameras for security purposes and placed to avoid spill over onto neighboring properties, and collection of animal waste as frequently as necessary.

STAFF RECOMMENDATION:

Staff recommends approval of Resolution 20-5.1 (20-00500001).

COMMENTS:

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

ATTACHED INFORMATION:	1) Planned Development Application 2) Vicinity Maps 3) Ordinance No. 2006-031 (Sight & Sound Theaters PD) 4) Ordinance No 2007-096 (Amendment to Sight & Sound Theaters PD)

Pasture Area

Branson MISSOURI
Planning & Development

PLANNED DEVELOPMENT APPLICATION

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

Office Use Only
PLND / PNDA 20.50.01
Date Applied 1/31/2020

Property Information

911 Property Address 1001 Shepherd of the Hills Exwy Branson, MO 65616

Property Owner Good Shepherd Meadows, L.P. and Exwy Inc ☑ Owner is applicant

Contact Name Glenn Weaver Email glenn.weaver@sight-sound.com

Mailing Address P.O. Box 310 Strasburg, PA 17579-0310 Phone 717-687-4220 X-2295

Agent Information (if different from property owner)

Name Joe Compton Email joe.compton@sight-sound.com

Mailing Address 1001 Shepherd of the Hills Exwy Branson, MO Phone 417-335-7900-X7615

Additional Required Information

- Check box below that corresponds with your request.

☐ New Planned Development ($1,094)

☑ Amend existing Planned Development ($1,094)

Planned Development Name: Sight & Sound Theatres - PD2006-003

- Attach **PLANNED DEVELOPMENT DOCUMENT** including all required information (See Reference Guide).
- 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.

Property Owner Original Signature	Print Name	Date
Joe B. Cpt		
Agent Original Signature	Print Name	Date
Joe B. Cpt	Joe B. Compton	1-30-20

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

05/2017

Office Use Only
PLND PNDA 2050.01

City of Branson
Planned Development Application

Property address: _____

STATE OF Missouri)
) SS.
COUNTY OF Taney)

On this 31st day of January, 2020, before me personally appeared Joe Compton, 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.

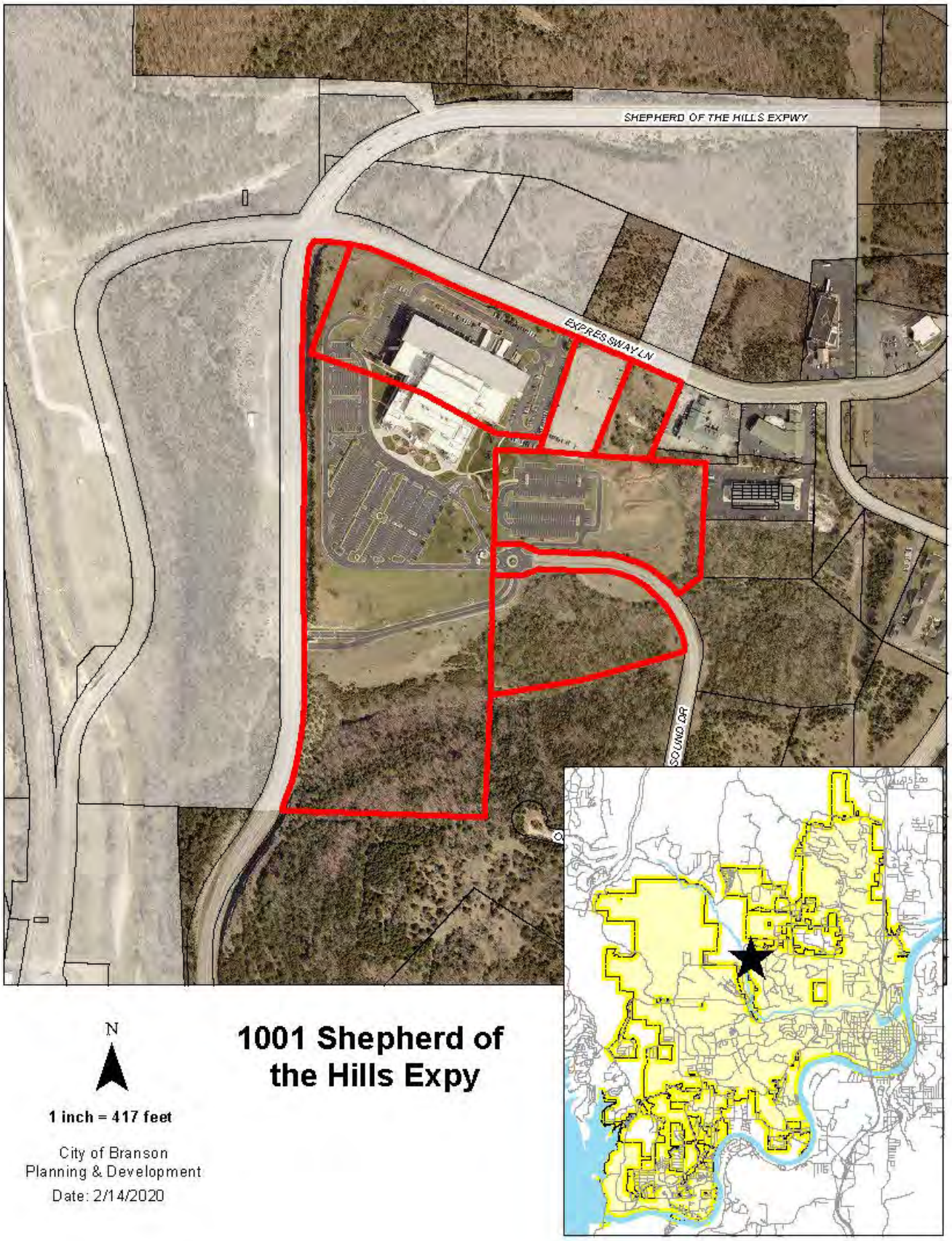
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at my office in Branson, MO the day and year first above written.

HILLARY BRIAND
Notary Public – Notary Seal
Taney County – State of Missouri
Commission Number 13760043
My Commission Expires Dec 27, 2020

/s/ _____
Notary Public

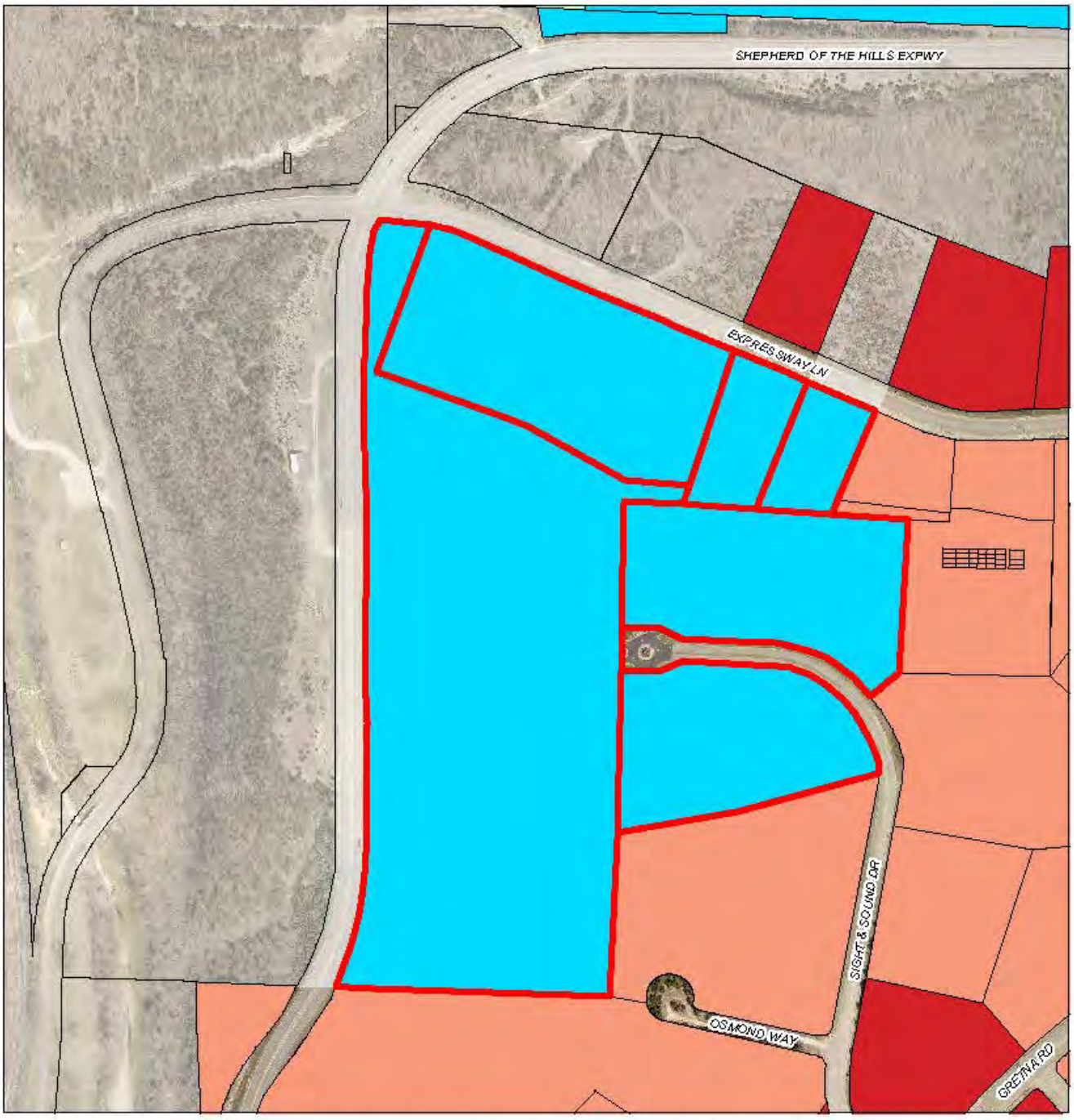
My term expires: 12/27/20

VICINITY MAPS – AERIAL



1001 Shepherd of the Hills Expy

VICINITY MAPS - CURRENT ZONING



1001 Shepherd of the Hills Expwy

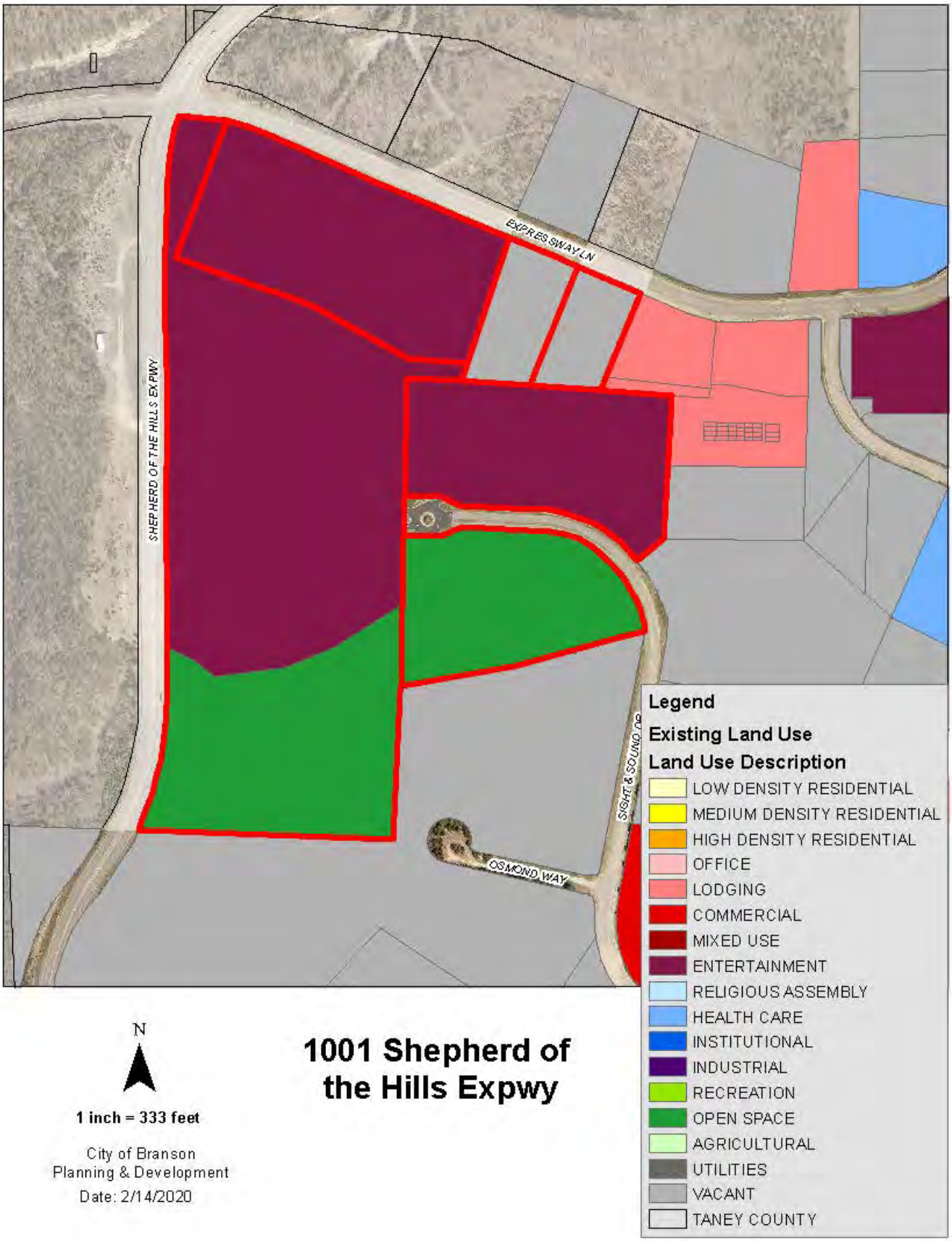
N

1 inch = 350 feet

City of Branson
Planning & Development
Date: 2/14/2020

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

VICINITY MAPS - CURRENT LAND USE



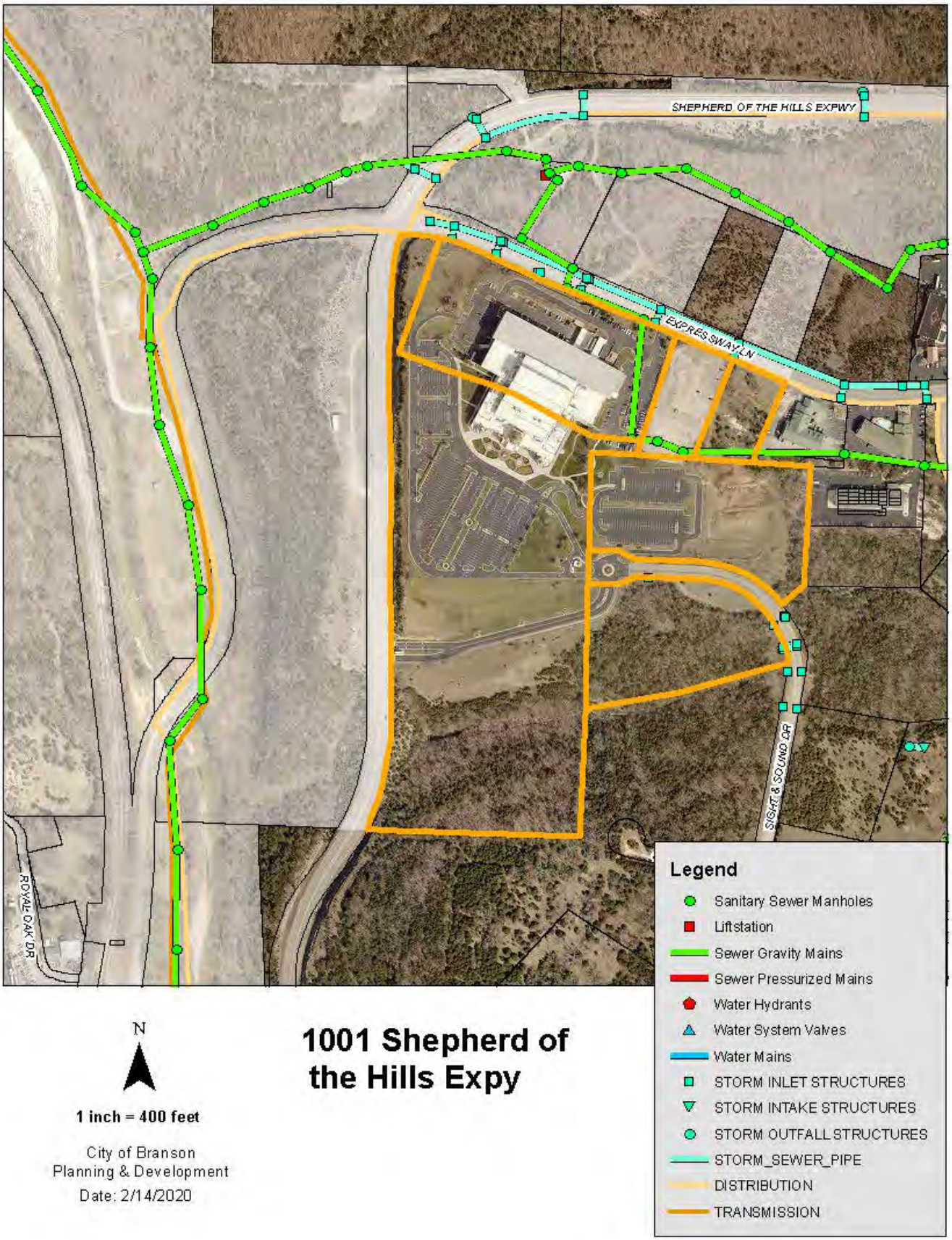
N

1 inch = 333 feet

City of Branson
Planning & Development
Date: 2/14/2020

1001 Shepherd of the Hills Expwy

VICINITY MAP – UTILITIES



N

1 inch = 400 feet

City of Branson
Planning & Development
Date: 2/14/2020

1001 Shepherd of the Hills Expy

ORTHOMETRIC VIEWS

View from North

View from East

View from South

View from West

BILL NO. 3205 **ORDINANCE NO. 2006-031**

AN ORDINANCE APPROVING A ZONING CHANGE FROM "C" COMMERCIAL TO "PD" PLANNED DEVELOPMENT AND APPROVING LAND USE REGULATIONS FOR PLANNED DEVELOPMENT PD-2006-003 FOR PROPERTY TO BE KNOWN AS SIGHT & SOUND THEATRES LOCATED IN BRANSON MEADOWS AND SITUATED ALONG SHEPHERD OF THE HILLS EXPRESSWAY BRANSON, MISSOURI

WHEREAS, the City of Branson by Ordinance No. 682 adopted and established certain zoning districts and classifications for the City of Branson; and

WHEREAS, Section 89.010 to 89.060 inclusive, RSMo, as amended, provides that a city of the fourth class may amend and change from time to time the boundaries of zoning districts; and

WHEREAS, notice of the proposed zoning was published in the Branson Daily News no less than fifteen days prior to public hearing before the Planning and Zoning Commission of the City of Branson; and

WHEREAS, the Branson Planning and Zoning Commission held a public hearing on February 07, 2006 and recommends approval of the Land Use Regulations for PD-2006-003 and zoning of "PD" Planned Development for property known as Sight & Sound Theatres Branson, Missouri.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF BRANSON, MISSOURI, THE FOLLOWING:

Section 1: That the tract of land situated in Branson, Missouri, as described on Exhibit 'A', is hereby zoned as Planned Development Number PD-2006-003, subject to the Land Use Regulations, which are attached hereto as Exhibit 'B' and incorporated herein by reference, and are made a part hereof as if set forth herein.

Section 2: The Official Zoning Map of the City of Branson is hereby amended in respect to the changes in the zoning district of the area described above, and that Title IV of the Branson Municipal Code is hereby amended to add the Land Use Regulations, attached hereto as Exhibit 'B' and incorporated herein by reference, as the land use regulations for the area described above.

Section 3: Severability Clause. If any section, subsection, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or major sections, sentences, clauses or phrases be declared invalid.

Section 4: This ordinance shall be in full force and effect from and after its passage and approval.

Read this first time on this 27th day of February, 2006.

Read this second time, passed and truly agreed to by the Board of Aldermen of the City of Branson, Missouri, on this 13th day of March, 2006.

Louis E. Schaefer
Mayor

ATTEST:

Loretta McCullough
Deputy City Clerk

APPROVED AS TO FORM:

Paul D. Link
City Attorney

EXHIBIT A

TRACT ONE: A TRACT OF LAND IN THE SW1/4 OF THE NE1/4 OF SECTION 25, TOWNSHIP 23, RANGE 22, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF LOT 18 COMMERCE PARK NORTH AS PER THE RECORDED PLAT THEREOF IN PLAT BOOK 22 AT PAGE 51, TANEY COUNTY RECORDERS OFFICE, THENCE N66°54'27"W, 86.63 FEET; THENCE N00°00'45"W, 370.84 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF SHEPHERD OF THE HILLS EXPRESSWAY; THENCE SOUTHEASTERLY ALONG SAID RIGHT-OF-WAY LINE THROUGH A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 19°38'08", A RADIUS OF 650.00 FEET, A CHORD BEARING OF S85°50'19"E, 222.76 FEET TO THE NORTHWEST CORNER OF SAID LOT 18; THENCE S19°56'45"W, ALONG THE WEST LINE OF SAID LOT 18, 415.54 FEET TO THE POINT OF BEGINNING.

AND A TRACT OF LAND SITUATED IN THE SW1/4 OF THE NE1/4 AND THE E1/2 OF THE NW1/4 OF THE SE1/4, SECTION 25, TOWNSHIP 23N, RANGE 22W, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID E1/2 NW1/4 SE1/4; THENCE N87°36'29"W, 684.39 FEET TO THE SOUTHWEST CORNER OF SAID E1/2 NW1/4 SE1/4; THENCE N00°00'17"W ALONG THE WEST LINE OF SAID E1/2 NW1/4 SE1/4 EXTENDED 1710.94 FEET; THENCE S67°20'26"E, 86.63 FEET TO THE SOUTHWEST CORNER OF LOT 18, COMMERCE PARK NORTH; THENCE CONTINUING S67°20'26"E, 439.96 FEET (S67°20'01"E, 440.00 FEET PLAT) ALONG THE SOUTHERLY LINE OF LOTS 18 AND 19 OF COMMERCE PARK NORTH; THENCE S59°02'19"E, ALONG THE SOUTHERLY LINE OF LOT 20, COMMERCE PARK NORTH, 277.22 FEET; THENCE S00°20'26"E, 74.73 FEET (S00°20'36"E, 74.72 FEET MEASURED) TO THE NORTHEAST CORNER OF SAID E1/2 NW1/4 SE1/4; THENCE S01°44'39"W, 1319.89 FEET TO THE POINT OF BEGINNING.

AND

ALL OF LOT 18, COMMERCE PARK NORTH AS PER THE PLAT RECORDED IN PLAT BOOK 22 AT PAGE 51, TANEY COUNTY RECORDERS OFFICE.

AND

ALL OF LOT 19, COMMERCE PARK NORTH AS PER THE PLAT RECORDED IN PLAT BOOK 22 AT PAGE 51, TANEY COUNTY RECORDERS OFFICE.

AND

ALL OF LOTS 20 AND 21, COMMERCE PARK NORTH AS PER THE PLAT RECORDED IN PLAT BOOK 22 AT PAGES 51 AND 52, RECORDS OF TANEY COUNTY, MISSOURI, AND THAT 80 FOOT TRACT OF LAND LYING BETWEEN LOTS 19 AND 20 AS SHOWN ON PLAT RECORDED IN PLAT BOOK 22 AT PAGES 51 AND 52.

AND

TRACT ONE: A PART OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 23 NORTH, RANGE 22 WEST, BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF THE NE1/4 OF SAID SECTION 25; THENCE N87°42'41"W, ALONG THE SOUTH LINE OF SAID NE1/4, 1006.57 FEET TO A POINT OF BEGINNING; THENCE CONTINUING N87°42'41"W, 180.26 FEET; THENCE N18°03'35"E, 68.35 FEET TO THE SOUTHWEST CORNER OF LOT 22 OF COMMERCE PARK NORTH SUBDIVISION; THENCE S84°42'20"E, ALONG THE SOUTH LINE OF SAID LOT 22, 184.31 FEET TO THE SOUTHEAST CORNER OF SAID LOT 22; THENCE S24°00'45"W, 60.59 FEET TO THE POINT OF BEGINNING.

TRACT TWO: ALL OF LOT 22 IN COMMERCE PARK NORTH, A SUBDIVISION, AS PER PLAT RECORDED IN PLAT BOOK 22 AT PAGE 51, TANEY COUNTY RECORDERS OFFICE.

AND

ALL OF LOT 23, COMMERCE PARK NORTH, AS PER THE RECORDED PLAT THEREOF, IN PLAT BOOK 22 AT PAGE 51, TANEY COUNTY RECORDERS OFFICE, TANEY COUNTY, MISSOURI.

AND

TRACT #1:
A TRACT OF LAND SITUATED IN THE SE1/4 OF THE NE1/4 OF SECTION 25, TOWNSHP 23 NORTH, RANGE 22 WEST, TANEY COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE SE1/4 OF THE NE1/4 OF SAID SECTION 25; THENCE S88°14'19"E, ALONG THE SOUTH LINE OF SAID SE1/4 OF THE NE1/4, A DISTANCE OF 154.09 FEET; THENCE N16°53'46"E, LEAVING SAID SOUTH LINE, A DISTANCE OF 67.47 FEET, TO THE SOUTHEAST CORNER OF LOT 21, COMMERCE PARK NORTH AS RECORDED IN PLAT BOOK 22 AT PAGE 51; THENCE N84°57'49"W (MEASURED), N84°42'20"W (PLAT), A DISTANCE OF 175.16 FEET (MEASURED), 175.08 FEET (PLAT), TO THE SOUTHWEST CORNER OF SAID LOT 21; THENCE S00°39'04"E, A DISTANCE OF 75.20 FEET TO THE POINT OF BEGINNING; EXCEPT ANY PORTION LYING WITHIN ROADWAY.

TRACT 2:
A TRACT OF LAND SITUATED IN THE SE1/4 OF THE NE1/4 OF SECTION 25, TOWNSHIP 23 NORTH, RANGE 22 WEST, TANEY COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE SE1/4 OF THE NE1/4 OF SAID SECTION 25; THENCE S88°14'19"E, ALONG THE SOUTH LINE OF SAID SE1/4 OF THE NE1/4, A DISTANCE OF 333.77 FEET, FOR A NEW POINT OF BEGINNING; THENCE N22°50'56"E, LEAVING SAID SOUTH LINE, A DISTANCE OF 61.63 FEET, TO THE SOUTHWEST CORNER OF LOT 23, COMMERCE PARK NORTH AS RECORDED IN PLAT BOOK 22 AT PAGE 51; THENCE S85°52'09"E, (MEASURED), S84°42'20"E, (PLAT), A DISTANCE OF 211.30 FEET (MEASURED), 211.12 FEET (PLAT), TO THE SOUTHEAST CORNER OF SAID LOT 23; THENCE S24°09'00"W, A DISTANCE OF 52.75 FEET, TO THE SOUTH LINE OF SAID SE1/4 OF THE NE1/4; THENCE N88°14'19"W, ALONG SAID SOUTH LINE, A DISTANCE OF 213.20 FEET, TO THE NEW POINT OF BEGINNING, EXCEPT ANY PORTION LYING WITHIN ROADWAY.

AND

ALL OF LOTS 38, 39, 40 AND 41, BRANSON MEADOWS, PHASE II AS PER THE PLAT FILED IN PLAT SLIDE D AT PAGE 580, TANEY COUNTY RECORDERS OFFICE.

EXHIBIT B

SIGHT & SOUND
THEATRES®

Land Use Regulations

PD2006-000

Prepared By

BUTLER ROSENBURY & PARTNERS

January 6, 2006

LAND USE REGULATIONS INDEX
Sight & Sound Theatres

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Sight & Sound Theatres

SECTION	DESCRIPTION	PAGE
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	Vicinity Map	Exhibit 'A'
	Planned Development Plan	Exhibit 'B'
	General Warranty Deed & Legal Descriptions	Exhibit 'C'

Land Use Regulations
Sight & Sound Theatre

These LAND USE REGULATIONS for Sight & Sound Theatre are hereby promulgated by Good Shepherd Meadows, L.P. and Expressway Inn Motel, L.P., Missouri limited partnership companies, as approved by the City of Branson, of the state of Missouri, in accordance with Section 410.070 of the Branson City Code, as of the day and year set forth, and the ordinance amending the zoning ordinance by these Land Use Regulations for the Sight & Sound Planned Development District (the PD).

1.00 Regulations Generally Applicable To All Tracts of Land

1.01 Plan Development Plan. Sight & Sound Theatre shall be developed on the property described on Exhibit 'A' attached hereto (the property). The property contains approximately 50 acres. Located in Branson Meadows and situated along Shepherd of the Hills Expressway on the west, south of Expressway Lane with access on Motley Drive west from Gretna Road. Any change to the PD Plan, involving a change in identified land uses for each parcel or to the intensity of use affecting square footage or parking for the each parcel, shall require approval of the Branson Planning and Zoning Commission and the Board of Aldermen for the City of Branson.

1.02 Tract Development Submittals. All development plans shall require Planning and Development Department approval prior to construction. Each phase, as presented on the PD Plan, shall be developed within the minimum and maximum limits established in these Land Use Regulations. In reviewing the development site plans, the uses proposed shall be weighed against existing uses and planned uses, both on the property and adjacent to the property, to insure consistency of them.

1.03 Zoning. The zoning for the entire development shall be 'PD' Planned Development under the guidelines included in these Land Use Regulations. For specific items not covered in these Land Use Regulations, zoning regulations of the Branson Municipal Code, consistent with the approved use of the tract, shall apply.

1.04 Development Sites. The use of the three developed sites shall be as established in these Land Use Regulations as listed in section 2.00.

1.05 Street Widths. All parking areas and private drives within the Development will remain private and the City will not be responsible for any maintenance, cleaning, clearing, upkeep or other improvements. If, in the future the developer wishes to dedicate the streets and right-of-way to the City, the Developer shall bring the streets to meet current City Code. All public streets shall be constructed with a minimum width as indicated in the Zoning Ordinance from back of curb to back of curb with parking that shall meet the intent of the Parking Ordinance as shown on the PD Plan. This shall include adding any necessary driving surface, curbing and storm water drain system all at the Developers expense.

1.06 Setback. Setbacks for all buildings constructed in this PD shall be as approved on the PD Plan and shall conform to the Branson Municipal Code.

1.07 Lot Sizes. Minimum lot sizes for all buildings constructed in this PD shall conform to the Branson Municipal Code, 'C' Commercial Zoning Regulation.

1.08 **Height.** No building hereinafter erected or structurally altered, regardless of use, as approved in this PD, shall exceed above the basement finished floor:

Theatre	130 feet
Commercial	50 feet
Motel	50 feet

1.09 **Accessory Building Setbacks.** Accessory buildings may not be located so as to encroach on adjacent public or private property, or easements, and comply with setback requirements unless indicated otherwise. Security/Greeter Building to have a minimum front yard setback of 15'.

1.10 **Sidewalks.** All sidewalks shall be constructed in strict conformance with City of Branson standards and shall be a minimum of four feet (4') in width.

1.11 **Landscaping.** All approved tracts in this PD shall be subject to the current adopted City of Branson Landscaping Ordinance.

1.12 **Local Codes and Ordinances.** In addition to any of the items listed in these Land Use Regulations, all construction in this PD is subject to all local Codes and Ordinances as adopted by the City.

1.13 **Fire Safety Requirements.**

a. A fully automatic fire sprinkler system shall be provided in all commercial structures providing rentals of less that Thirty (30) days, in all structures more than 12,000 square feet in area or exceeding two (2) stories in height.
b. Approved fire hydrants shall be located not less than one hundred fifty feet (150') from any fire department connection to a sprinkler system on new construction.
c. Any new fire hydrant shall be installed in accordance with the Branson Municipal Code, which currently states that hydrants shall be located such that all portions of a commercial structure are within three hundred (300') feet of a hydrant.
d. All construction shall be in accordance with the latest IBC Code adopted by the City of Branson including local amended codes and referenced standards.

1.14 **Storm Water Detention.** The owner shall insure that the entire PD will comply with City of Branson storm water detention requirements.

1.15 **Off-Street Parking.** The off-street parking requirements for this development shall follow or exceed the off-street parking requirements as written within the Branson Municipal Code.

2.00 Regulations Specific to Each Tract of Land

2.01 Zoning Uses. Permitted uses allowed in a "C" Commercial District are allowed in this PD except they are limited to those written within this text under "Uses by Right". Any additional land use options requested by the developer must be listed under the "Special Uses" below for each tract and must be submitted to the Planning and Zoning Commission for approval under the review and approval procedures set forth in the current adopted Land Use Regulations. uses allowed in the PD are as follows:

2.02 Tract 'A'

Uses by Right

1. Theatre
2. Hotel and Motel
3. Restaurant
4. Retail
5. Accessory structures used for commercial purposes

Special Uses – permitted subject to the review and approval procedures set forth in the Zoning Ordinances

NONE

2.03 Tract 'B'

Uses by Right

1. Hotel and Motel
2. Restaurant
3. Retail
4. Accessory structures used for commercial purposes

Special Uses – permitted subject to the review and approval procedures set forth in the Zoning Ordinances

NONE

2.04 Tract 'C'

Uses by Right

1. Hotel and Motel
2. Professional and General Offices
3. Small Church Or Meditation Chapel
4. Restaurant
5. Retail
6. Accessory structures used for commercial purposes

Special Uses – permitted subject to the review and approval procedures set forth in the Zoning Ordinances

NONE

2.05 Natural Open Spaces

Uses by Right

1. Trails and Walkways
2. Small Park Shelter/Gazebo structures
3. Open space facilities defined as
   a. Open air amphitheatre
   b. Landscaped mediation areas with water, sculptural or artistic features
   c. Small structures, i.e.; bell or clarion tower, commemorative and memorial plaques, and
4. Directional Signage

Special Uses – permitted subject to the review and approval procedures set forth in the Zoning Ordinances

NONE

SIGNAGE PLAN FOR:

SIGHT & SOUND THEATRES®

BRANSON, MISSOURI

PREPARED BY:

SIGHT & SOUND THEATRES®

1/6/2006

SIGNAGE DESCRIPTIONS

SIGHT & SOUND THEATRES

BRANSON, MISSOURI

SIGN 1
SHEPHERD OF THE HILLS
PRIMARY ENTRANCE ID
IN ENTRY MEDIAN
DOUBLE SIDED WITH STONE FINISH,
WATERFEATURE IN CENTER,
PLANTER BASE,
ILLUMINATED
POSSIBLE FUTURE LED SCREEN,
RAISED LETTER CORP. LOGO-TYPE
FENCE RAILS WITH
STONE POSTS OFF ENDS
14FT. LONG, 14FT HIGH,
4FT WIDE BASE,
2FT WIDE ABOVE BASE

SIGNS 3,5 AND 6 THRU 17
SINGLE SIDED MOULDED SIGN FACE
EXTERNALLY ILLUMINATED
2FT. HIGH, 2FT. WIDE WITH
MOULDED RAISED LETTERS
AND 1 INCH BORDER
CORP. LOGO-TYPE MONOGRAM IN
12 INCH WIDE, 5 INCH HIGH
HALF ROUND CROWN, TOP/CENTER.
MOUNTED IN GROUND, ON 4 INCH
SQUARE POST APPROX. 6 FT. HIGH.

SIGN 4
WELCOME SIGN
MOTLEY ROAD IN MEDIAN
DOUBLE SIDED WITH STONE FINISH,
ILLUMINATED,
POSSIBLE FUTURE LED SCREEN,
RAISED LETTER CORP. LOGO-TYPE
8FT. LONG, 8FT HIGH,
2FT. WIDE BASE,
16 INCH WIDE ABOVE BASE

SIGN 18
CORPORATE LOGOTYPE
MOUNTED ON FRONT ELEV. FACE OF
BUILDING 'FLY TOWER',
FRONT ILLUMINATED,
92FT. LONG, 20FT HIGH.
1,840 SQ. FT. SIGN
30,332 SQ. FT. FRONT ELEVATION

SIGN 19
CORPORATE LOGOTYPE
MOUNTED ON REAR ELEV. FACE OF
BUILDING 'FLY TOWER',
FRONT ILLUMINATED,
112FT. LONG, 24FT HIGH.
2,768 SQ. FT. SIGN
41,250 SQ. FT. REAR ELEVATION

PREPARED BY:

SIGHT & SOUND THEATRES

1/6/2006

1. PRIMARY ENTRY ID SIGN SHEPHERD OF THE HILLS ENTRANCE
2. OMITTED
3. BUSINESS ENTRY SIGN EXPRESSWAY LANE EMPLOYEES DELIVERIES
4. WELCOME TO SIGHT & SOUND MILLENNIUM THEATRE BRANSON
5. EXIT ONE WAY
6. DIRECTIONAL SIGN: GRETNA ROAD SHEPHERD OF THE HILLS
7. STOP SIGN/ DO NOT ENTER
8. DIRECTIONAL SIGN: EXIT TO SHEPHERD OF THE HILLS
9. EXIT TO GRETNA ROAD
10. ENTER THEATRE PARKING
11. EXIT FOR HANDICAP PICKUP ONLY
12. BUSES RIGHT LANE CARS LEFT LANE
13. EXIT
14. DOCK 1/ 2/ 3
15. DOCK 1
16. DOCK 2
17. DOCK 3
18. FRONT ELEV. SIGN CORPORATE LOGOTYPE
19. REAR ELEV. SIGN CORPORATE LOGOTYPE

SITE PLAN/ SIGNAGE LOCATIONS

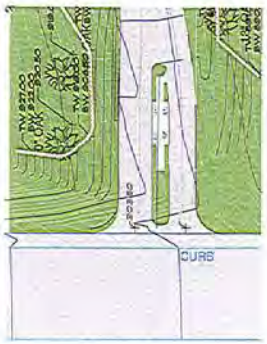
SCALE 1" = 100'-0"

PROPOSED SIGHT & SOUND THEATRE - BRANSON, MISSOURI

1/8/2008
C. LAWRENCE

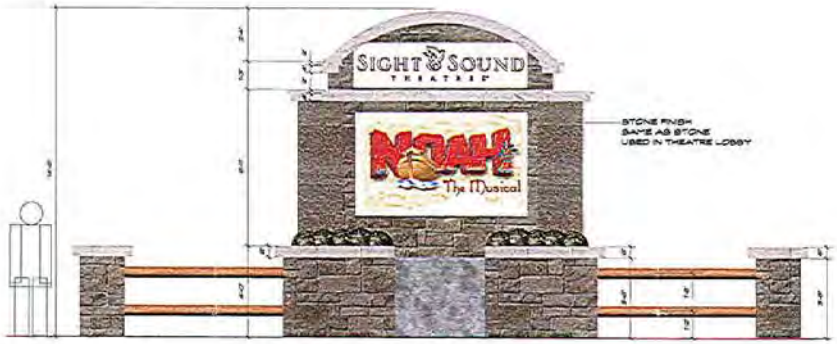
DRAWN:	C. LAWRENCE
CHECKED:	
DATE:	12/8/05
SCALE:	
DATE:	
DATE:	
DAT

PERSPECTIVE
SCALE 1/4"=1'-0"

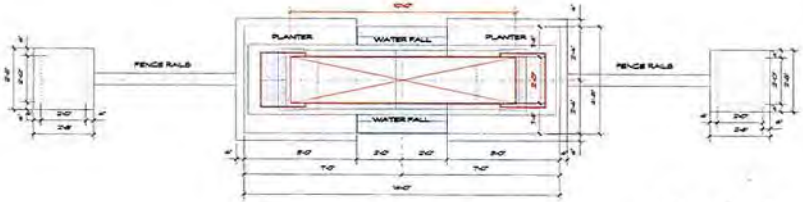


PLAN/ENTRY/SHEPHERD OF THE HILLS
SCALE 1/32"=1'-0"

END ELEVATION
SCALE 1/2"=1'-0"



ELEVATION/ TYP. BOTH SIDES
SCALE 1/2"=1'-0"



PLAN
SCALE 1/2"=1'-0"

SIGN 1

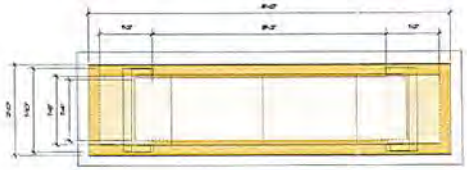
SIGHT & SOUND THEATRES

BRANSON
MAJOR ID SIGNAGE

1

END ELEV. /WELCOME SIGN

FRONT ELEV. /WELCOME SIGN



PLAN/WELCOME SIGN

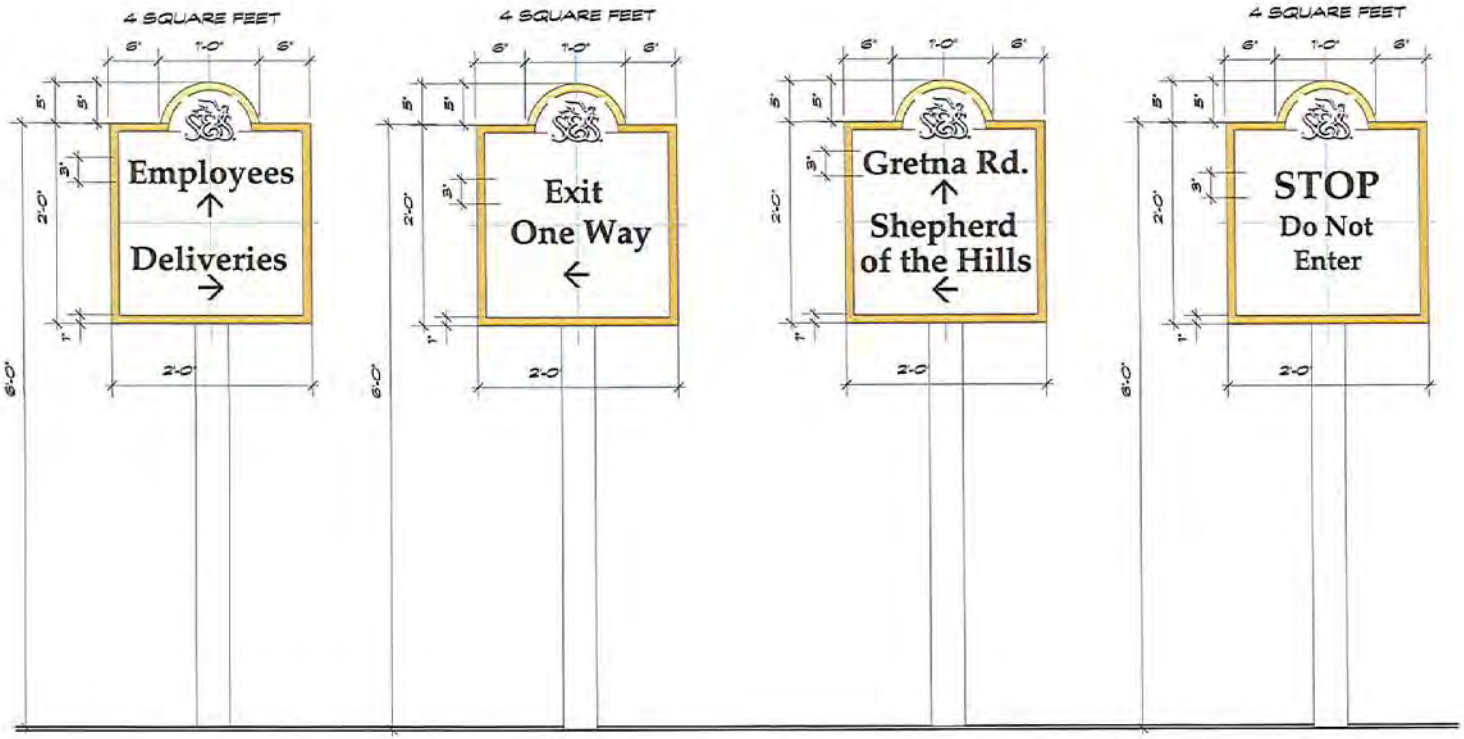
SIGN 4

SIGHT & SOUND THEATRES

BRANSON

WELCOME SIGN

4

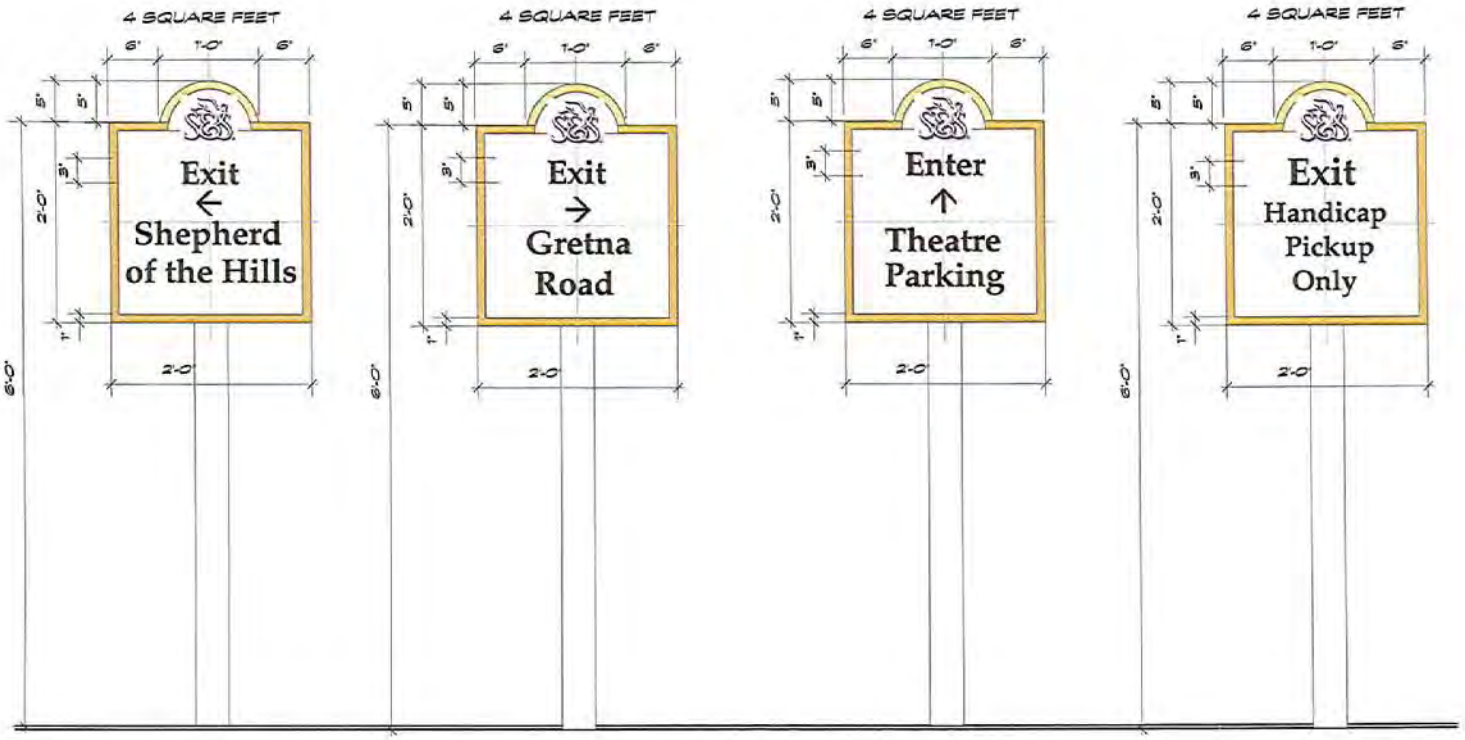


SIGN 3 SIGN 5 SIGN 6 SIGN 7

PREPARED BY:

SIGHT & SOUND THEATRES

1/6/2006

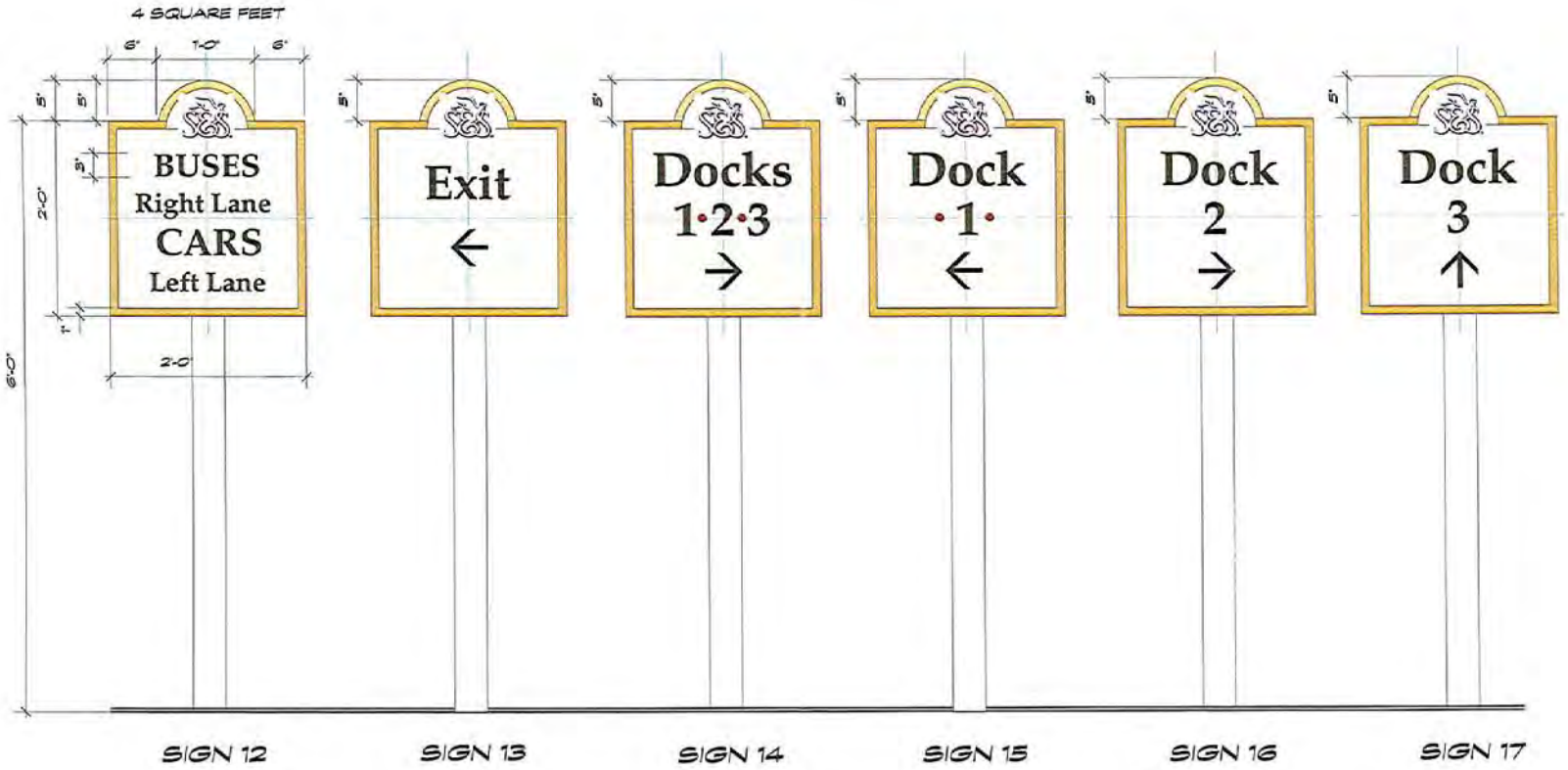


SIGN 8 SIGN 9 SIGN 10 SIGN 11

PREPARED BY:

SIGHT & SOUND THEATRES

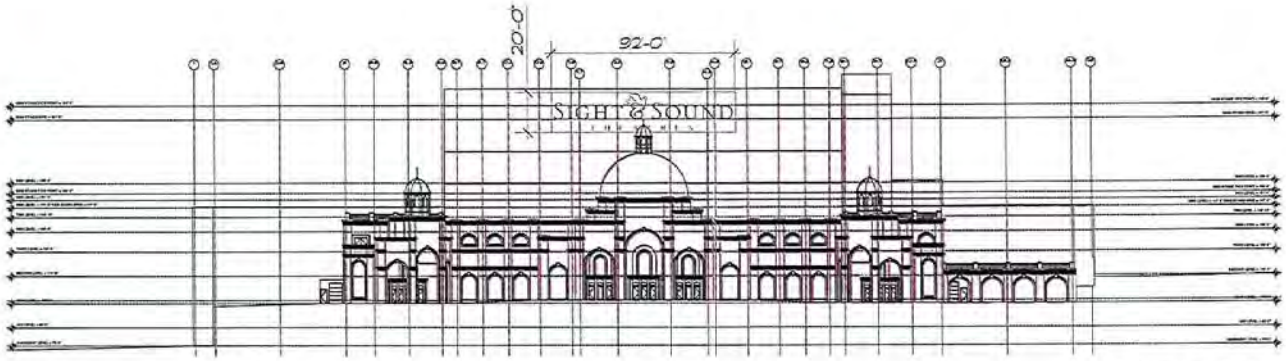
1/6/2006



PREPARED BY:

SIGHT & SOUND THEATRES

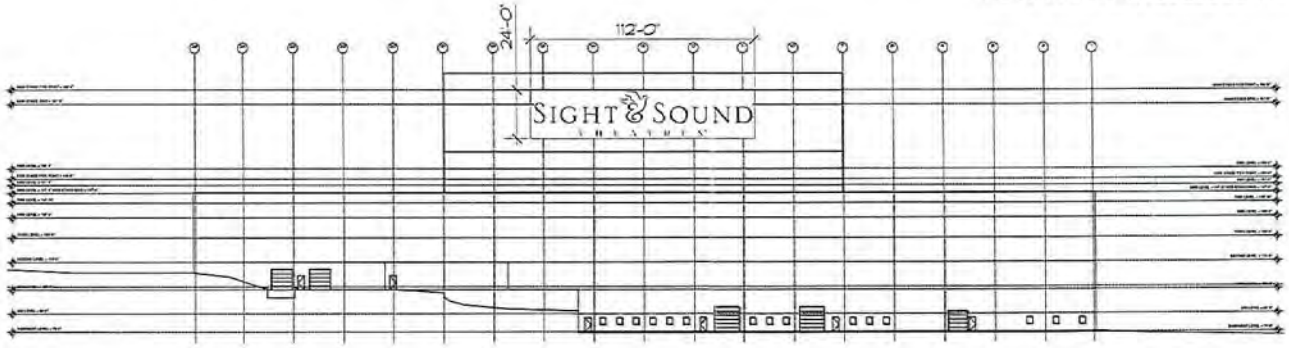
1/6/2006



FRONT ELEVATION

SIGN 18

SIGN AREA = 1,840 SQ. FT.
FRONT ELEVATION = 30,332 SQ. FT.



REAR ELEVATION

SIGN 19

SIGN AREA = 2,688 SQ. FT.
REAR ELEVATION = 41,250 SQ. FT.

PREPARED BY:

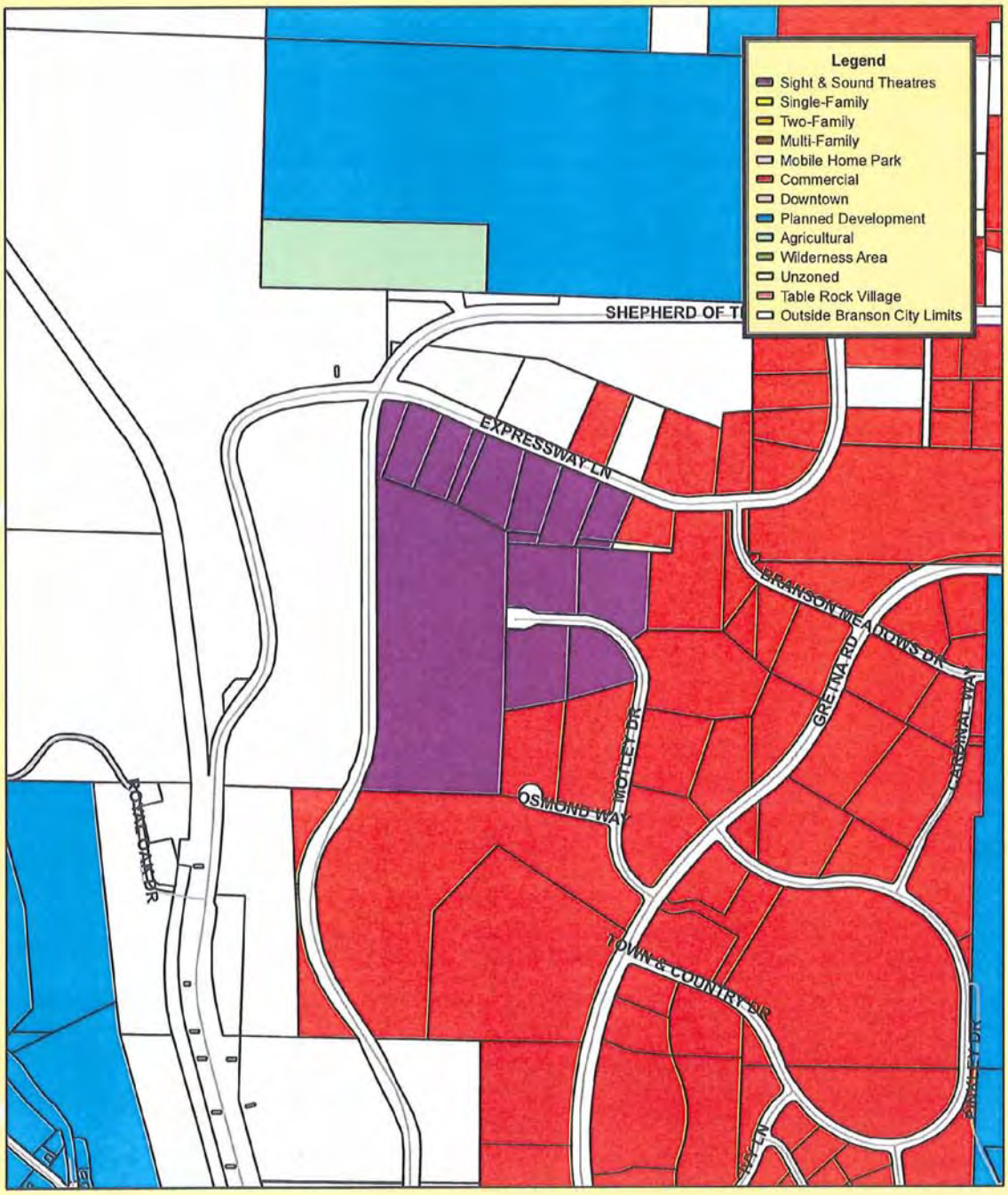
SIGHT & SOUND
THEATRES

1/6/2006

Sight & Sound Theatres

City of Branson, Taney County, Missouri
Planning and Development Dept.
February 27, 2006

0 175 350 700 1,050 1,400 Feet



BILL NO. 3453 **ORDINANCE NO. 2007-096**

AN ORDINANCE APPROVING A PLANNED DEVELOPMENT AMENDMENT TO THE SIGHT & SOUND LAND USE REGULATIONS PD-2006-003 FOR PROPERTIES LOCATED AT 1001 SHEPHERD OF THE HILLS EXPRESSWAY BRANSON, MISSOURI

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF BRANSON, MISSOURI, THE FOLLOWING:

Section 1: That the Sight & Sound Land Use Regulations PD-2006-003 are hereby amended and are hereto attached as Exhibit 'A'.

Section 2: Severability Clause. If any section, subsection, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or major sections, sentences, clauses or phrases be declared invalid.

Section 3: This ordinance shall be in full force and effect from and after its passage by the Board of Aldermen and approval by the Mayor.

Read, this first time on this 24th day of September, 2007.

Read, this second time, passed and truly agreed to by the Board of Aldermen of the City of Branson, Missouri on this 8th day of October, 2007.

Raeanne Presley
Mayor

ATTEST:

Lisa K Westfall
City Clerk

APPROVED AS TO FORM:

Paul D. Link
City Attorney

EXHIBIT 'A'

SIGNAGE DESCRIPTIONS

SIGHT&SOUND

THEATRES®

BRANSON, MISSOURI

SIGN 1

SHEPHERD OF THE HILLS [EXPRESSWAY]
PRIMARY ENTRANCE ID **MONUMENT SIGN**
IN ENTRY MEDIAN
DOUBLE SIDED [WITH SIGN FACE U
[illegible] MATCHING
THEATER DETAILS W/ STONE BASE
PLINTER BASE,
ILLUMINATED
[BACKLIT FLEX FACE] SIGNS
[PREPARED] FUTURE LED SCREEN,
RAISED LETTER CORP. LOGO-TYPE
[illegible]
[illegible]
[illegible] FT. LONG, [illegible] FT HIGH,
4FT WIDE BASE,
[illegible] FT WIDE ABOVE BASE

SIGNS 3,5 AND 6 THRU 17

SINGLE SIDED MOULDED SIGN FACE
EXTERNALLY ILLUMINATED
3FT. HIGH, 2FT. WIDE WITH
MOULDED RAISED LETTERS
AND 1 INCH BORDER
CORP. LOGO-TYPE MONOGRAM IN
12 INCH WIDE, 5 INCH HIGH
HALF ROUND CROWN, TOP CORNER,
MOUNTED IN GROUND, ON 4 INCH
SQUARE POST APPROX. 6 FT. HIGH.

SIGN 4

WELCOME SIGN
MORLEY ROAD IN MEDIAN
DOUBLE SIDED WITH STONE FINISH,
ILLUMINATED,
POSSIBLE FUTURE LED SCREEN,
RAISED LETTER CORP. LOGO-TYPE
2FT. LONG, 6FT HIGH,
2FT. WIDE BASE,
16 INCH WIDE ABOVE BASE

SIGN 18

CORPORATE LOGO-TYPE
MOUNTED ON FRONT ELEV. FACE OF
BUILDING "FLY TOWER",
FRONT ILLUMINATED,
93FT. LONG, 20FT HIGH,
1,840 SQ. FT. SIGN
30,352 SQ. FT. FRONT ELEVATION

SIGN 19

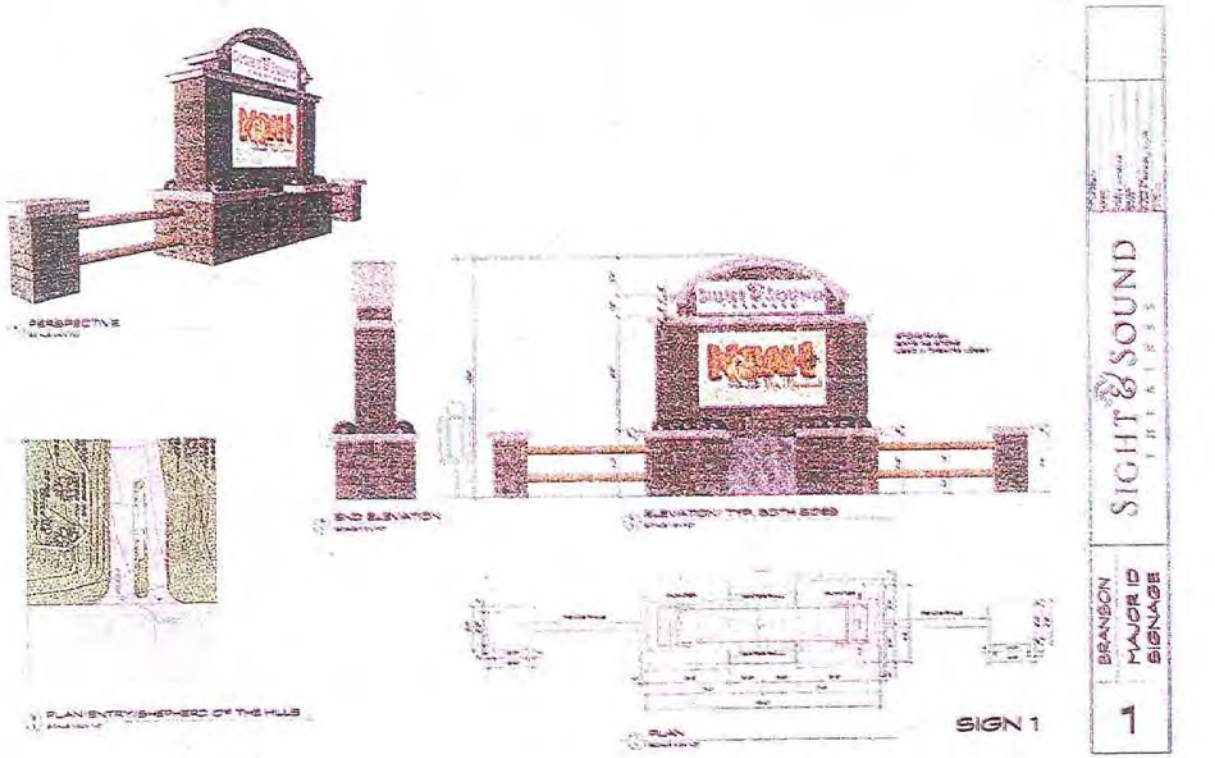
CORPORATE LOGO-TYPE
MOUNTED ON REAR ELEV. FACE OF
BUILDING "FLY TOWER"
FRONT ILLUMINATED,
111FT. LONG, 24FT HIGH,
2,768 SQ. FT. SIGN
41,250 SQ. FT. REAR ELEVATION

PREPARED BY:

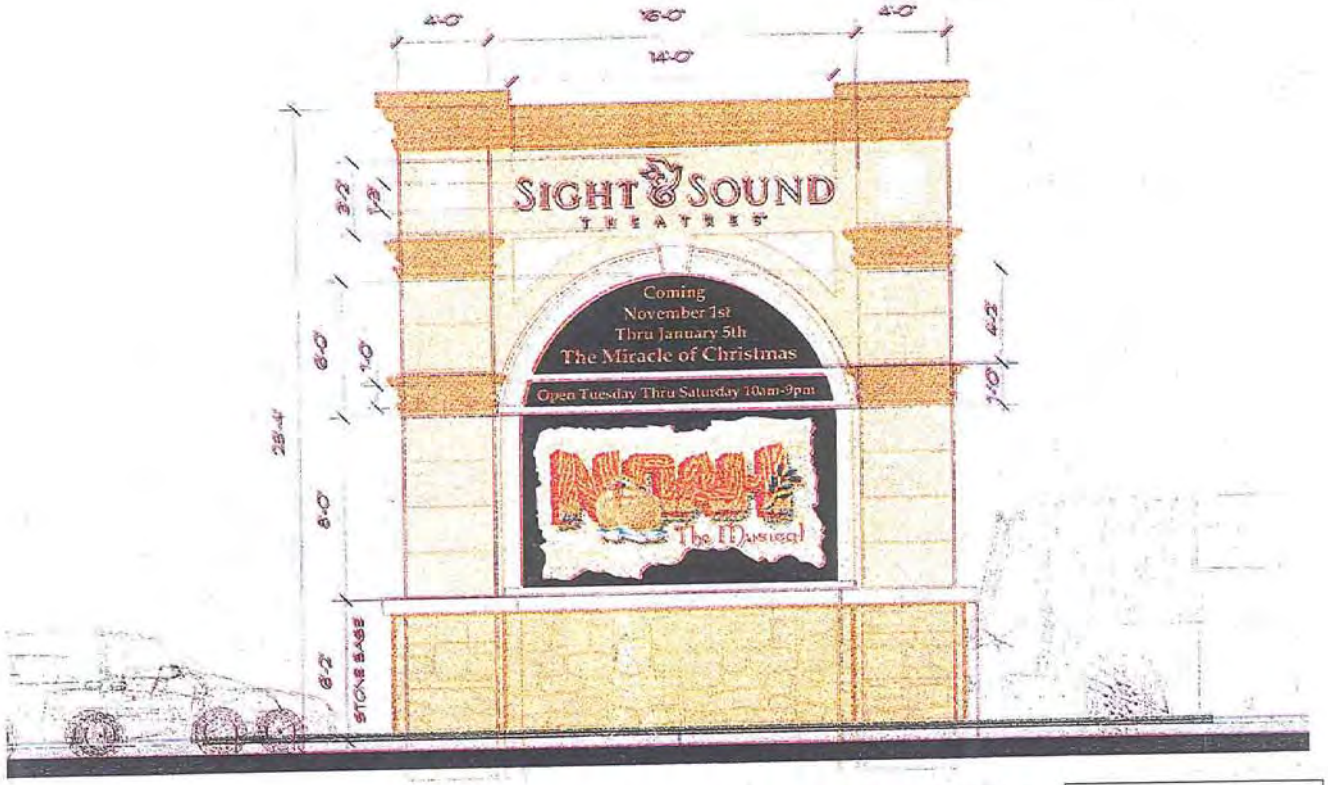
SIGHT & SOUND
THEATRES

1/6/2006

NOTE: LANGUAGE WHICH IS **BOLD, UNDERLINED** HAS BEEN ADDED; LANGUAGE WHICH IS [BRACKETED/STRICKEN] HAS BEEN DELETED.



Original Sign 1



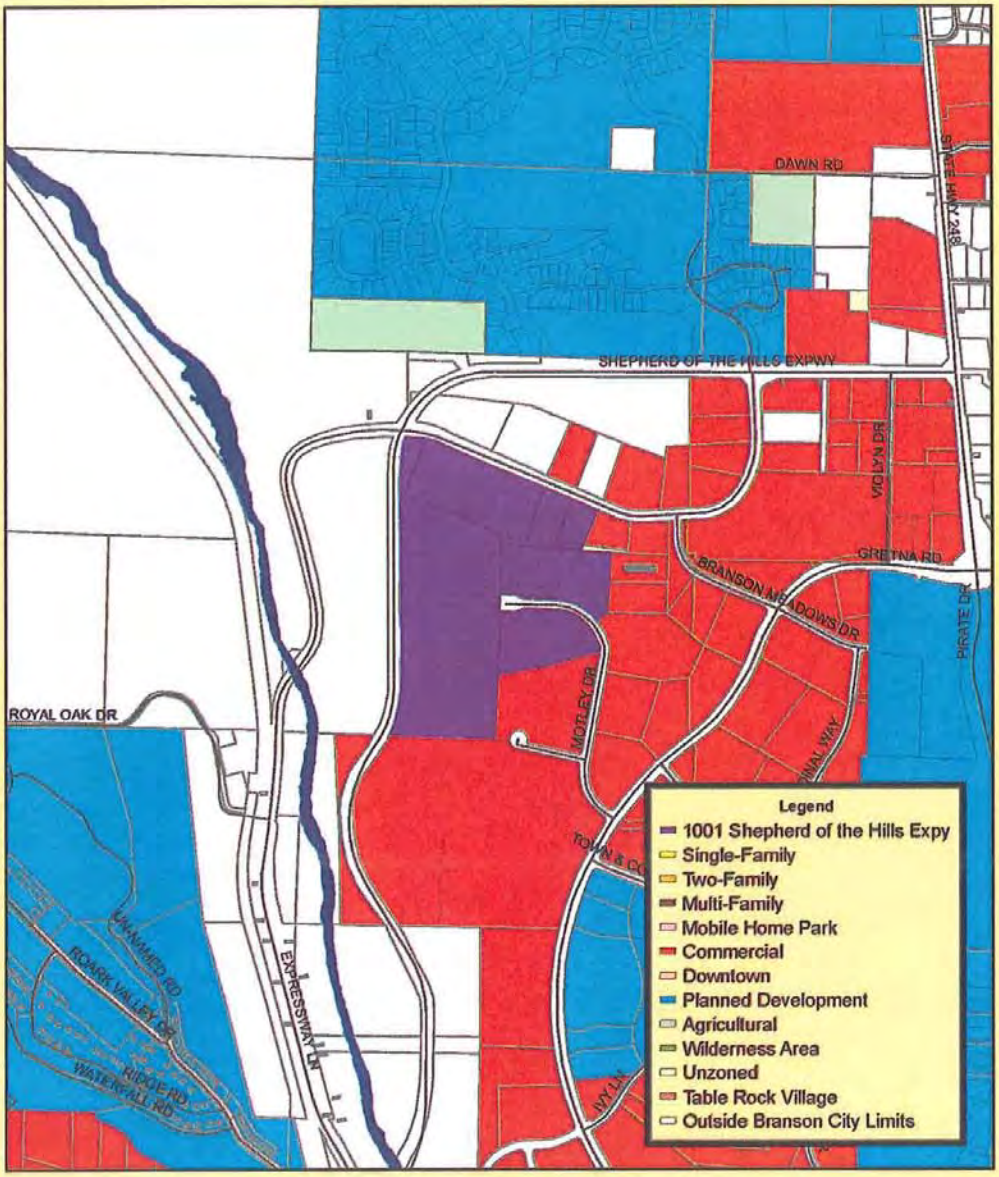
FRONT ELEVATION ENTRY SIGN
SHEPHERD OF THE HILLS
SCALE 3/16"=1'-0" · CHARLIE LAWRENCE · 5/15/2007

Amended Sign 1

Sight & Sound Theatres

City of Branson, Taney County, Missouri
Planning and Development Dept.
August 10, 2007

0 225 450 900 1,350 1,800 Feet



07-00500008

EXHIBIT '2'

SIGHT & SOUND
THEATRES®

Land Use Regulations

PD2006-003

Prepared By

brp
ARCHITECTS

January 6, 2006
Amendment 1 - January 31, 2020

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Sight & Sound Theatres

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Section 5.00	**Off Premise Signage – Overlay Signage Zone**	**(Reserved)**

LAND USE REGULATIONS INDEX
Sight & Sound Theatres

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Land Use Regulations
Sight & Sound Theatre

These LAND USE REGULATIONS for Sight & Sound Theatre are hereby promulgated by Good Shepherd Meadows, L.P. and Expressway Inn Motel, L.P., Missouri limited partnership companies, as approved by the City of Branson, of the state of Missouri, in accordance with Section 410.070 of the Branson City Code, as of the day and year set forth, and the ordinance amending the zoning ordinance by these Land Use Regulations for the Sight & Sound Planned Development District (the PD).

1.00 Regulations Generally Applicable To All Tracts of Land

1.01 Plan Development Plan. Sight & Sound Theatre shall be developed on the property described in Exhibit 'C' attached hereto (the property). The property contains approximately 50 acres. Located in Branson Meadows and situated along Shepherd of the Hills Expressway on the west, south of Expressway Lane with access on Motley Drive west from Gretna Road. Any change to the PD Plan, involving a change in identified land uses for each parcel or to the intensity of use affecting square footage or parking for the each parcel, shall require approval of the Branson Planning and Zoning Commission and the Board of Aldermen for the City of Branson.

1.02 Tract Development Submittals. All development plans shall require Planning and Development Department approval prior to construction. Each phase, as presented on the PD Plan, shall be developed within the minimum and maximum limits established in these Land Use Regulations. In reviewing the development site plans, the uses proposed shall be weighed against existing uses and planned uses, both on the property and adjacent to the property, to insure consistency of them.

1.03 Zoning. The zoning for the entire development shall be 'PD' Planned Development under the guidelines included in these Land Use Regulations. For specific items not covered in these Land Use Regulations, zoning regulations of the Branson Municipal Code, consistent with the approved use of the tract, shall apply.

1.04 Development Sites. The use of the three developed sites shall be as established in these Land Use Regulations as listed in section 2.00.

1.05 Street Widths. All parking areas and private drives within the Development will remain private and the City will not be responsible for any maintenance, cleaning, clearing, upkeep or other improvements. If, in the future the developer wishes to dedicate the streets and right-of-way to the City, the Developer shall bring the streets to meet current City Code. All public streets shall be constructed with a minimum width as indicated in the Zoning Ordinance from back of curb to back of curb with parking that shall meet the intent of the Parking Ordinance as shown on the PD Plan. This shall include adding any necessary driving surface, curbing and storm water drain system all at the Developers expense.

1.06 Setback. Setbacks for all buildings constructed in this PD shall be as approved on the PD Plan and shall conform to the Branson Municipal Code.

1.07 Lot Sizes. Minimum lot sizes for all buildings constructed in this PD shall conform to the Branson Municipal Code, 'C' Commercial Zoning Regulation.

1.08 **Height.** No building hereinafter erected or structurally altered, regardless of use, as approved in this PD, shall exceed above the basement finished floor:

Theatre	130 feet
Commercial	50 feet
Motel	50 feet

1.09 **Accessory Building Setbacks.** Accessory buildings may not be located so as to encroach on adjacent public or private property, or easements, and comply with setback requirements unless indicated otherwise. Security/Greeter Building to have a minimum front yard setback of 15'.

1.10 **Sidewalks.** All sidewalks shall be constructed in strict conformance with City of Branson standards and shall be a minimum of four feet (4') in width.

1.11 **Landscaping.** All approved tracts in this PD shall be subject to the current adopted City of Branson Landscaping Ordinance.

1.12 **Local Codes and Ordinances.** In addition to any of the items listed in these Land Use Regulations, all construction in this PD is subject to all local Codes and Ordinances as adopted by the City.

1.13 **Fire Safety Requirements.**

a. A fully automatic fire sprinkler system shall be provided in all commercial structures providing rentals of less that Thirty (30) days, in all structures more than 12,000 square feet in area or exceeding two (2) stories in height.
b. Approved fire hydrants shall be located not less than one hundred fifty feet (150') from any fire department connection to a sprinkler system on new construction.
c. Any new fire hydrant shall be installed in accordance with the Branson Municipal Code, which currently states that hydrants shall be located such that all portions of a commercial structure are within three hundred (300') feet of a hydrant.
d. All construction shall be in accordance with the latest IBC Code adopted by the City of Branson including local amended codes and referenced standards.

1.14 **Storm Water Detention.** The owner shall insure that the entire PD will comply with City of Branson storm water detention requirements.

1.15 **Off-Street Parking.** The off-street parking requirements for this development shall follow or exceed the off-street parking requirements as written within the Branson Municipal Code.

2.00 Regulations Specific to Each Tract of Land

2.01 **Zoning Uses.** Permitted uses allowed in a "C" Commercial District are allowed in this PD except they are limited to those written within this text under "Uses by Right". Any additional land use options requested by the developer must be listed under the "Special Uses" below for each tract and must be submitted to the Planning and Zoning Commission for approval under the review and approval procedures set forth in the current adopted Land Use Regulations. uses allowed in the PD are as follows:

2.02 **Tract 'A'**

Uses by Right

1. Theatre
2. Hotel and Motel
3. Restaurant
4. Retail
5. Accessory structures used for commercial **and agricultural** purposes.
6. **Animal Pasture – See Section 4.00 Supplement for additional information**

Special Uses – permitted subject to the review and approval procedures set forth in the Zoning Ordinances

NONE.

2.03 **Tract 'B'**

Uses by Right

1. Hotel and Motel
2. Restaurant
3. Retail
4. Accessory structures used for commercial purposes.

Special Uses – permitted subject to the review and approval procedures set forth in the Zoning Ordinances

NONE.

2.04 **Tract 'C'**

Uses by Right

1. Hotel and Motel
2. Professional and General Offices
3. Small Church Or Meditation Chapel
4. Restaurant
5. Retail
6. Accessory structures used for commercial **and agricultural** purposes
7. **Animal Pasture – See Section 4.0 Supplement for additional information.**

Special Uses – permitted subject to the review and approval procedures set forth in the Zoning Ordinances

NONE.

2.05 Natural Open Spaces

Uses by Right
1. Trails and Walkways
2. Small Park Shelter/Gazebo structures
3. Open space facilities defined as
   a. Open air amphitheatre
   b. Landscaped mediation areas with water, sculptural or artistic features
   c. Small structures, i.e., bell or clarion tower, commemorative and memorial plaques, and
4. Directional Signage

Special Uses – permitted subject to the review and approval procedures set forth in the Zoning Ordinances

NONE

3.00 On Premise Signage

SIGNAGE PLAN FOR:

SIGHT & SOUND THEATRES®

BRANSON, MISSOURI

PREPARED BY:

SIGHT & SOUND THEATRES®

1/6/2006

SIGNAGE DESCRIPTIONS

SIGHT & SOUND THEATRES®

BRANSON, MISSOURI

SIGN 1
SHEPHERD OF THE HILLS
PRIMARY ENTRANCE ID
IN ENTRY MEDIAN
DOUBLE SIDED WITH STONE FINISH,
WATERFEATURE IN CENTER,
PLANTER BASE,
ILLUMINATED
POSSIBLE FUTURE LED SCREEN,
RAISED LETTER CORP. LOGO-TYPE
FENCE RAILS WITH
STONE POSTS OFF ENDS
14FT. LONG, 14FT HIGH,
4FT WIDE BASE,
2FT WIDE ABOVE BASE

SIGNS 3,5 AND 6 THRU 17
SINGLE SIDED MOULDED SIGN FACE
EXTERNALLY ILLUMINATED
2FT. HIGH, 2FT. WIDE WITH
MOULDED RAISED LETTERS
AND 1 INCH BORDER
CORP. LOGO-TYPE MONOGRAM IN
12 INCH WIDE, 5 INCH HIGH
HALF ROUND CROWN, TOP/CENTER,
MOUNTED IN GROUND, ON 4 INCH
SQUARE POST APPROX. 6 FT. HIGH.

SIGN 4
WELCOME SIGN
MOTLEY ROAD IN MEDIAN
DOUBLE SIDED WITH STONE FINISH,
ILLUMINATED,
POSSIBLE FUTURE LED SCREEN,
RAISED LETTER CORP. LOGO-TYPE
8FT. LONG, 8FT HIGH,
2FT. WIDE BASE,
16 INCH WIDE ABOVE BASE

SIGN 18
CORPORATE LOGOTYPE
MOUNTED ON FRONT ELEV. FACE OF
BUILDING FLY TOWER,
FRONT ILLUMINATED,
92FT. LONG, 20FT HIGH,
1,840 SQ. FT. SIGN
30,332 SQ. FT. FRONT ELEVATION

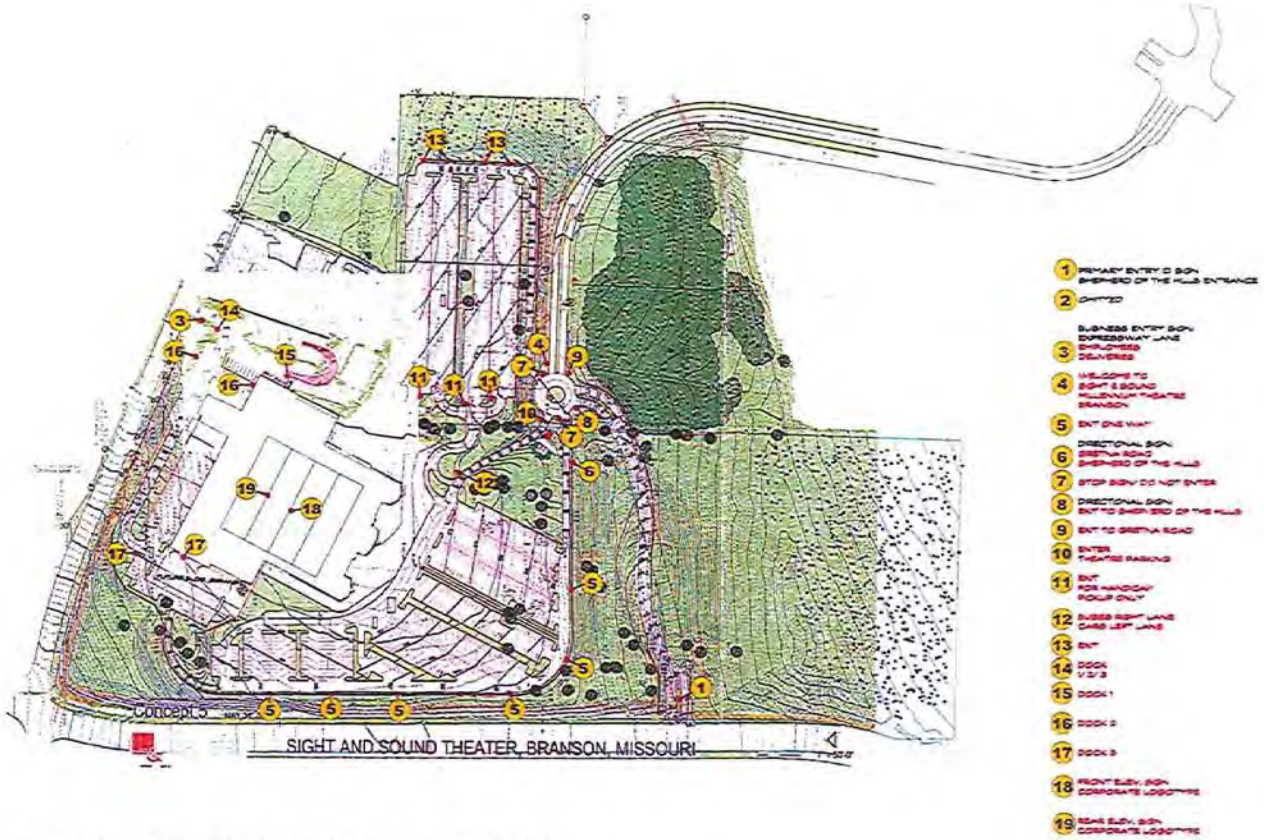
SIGN 19
CORPORATE LOGOTYPE
MOUNTED ON REAR ELEV. FACE OF
BUILDING FLY TOWER,
FRONT ILLUMINATED,
112FT. LONG, 24FT HIGH,
2,688 SQ. FT. SIGN
41,250 SQ. FT. REAR ELEVATION

PREPARED BY:

SIGHT & SOUND THEATRES®

1/6/2006

20-00500001



SITE PLAN/ SIGNAGE LOCATIONS

PROPOSED SIGHT & SOUND THEATRE - BRANSON, MISSOURI

SCALE 1" = 100'-0"

SITE

COMPOSITE SITE PLAN

SIGNAGE LOCATIONS

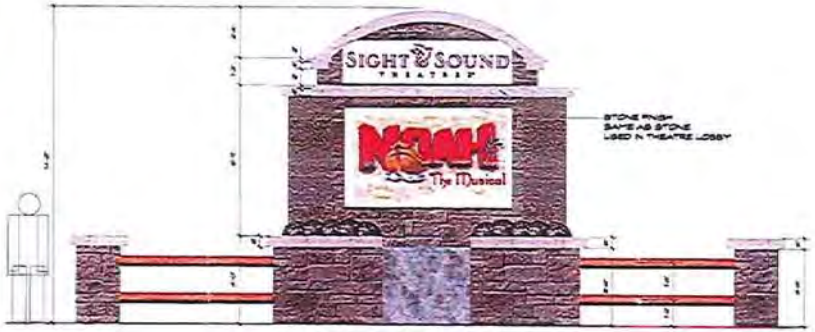
BRANSON

SIGHT & SOUND THEATRES

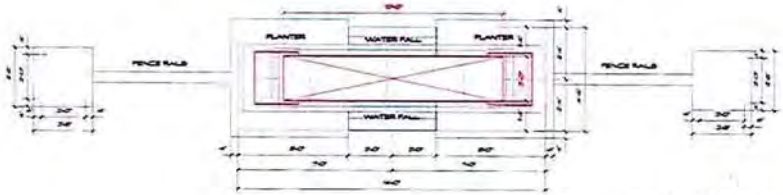
PERSPECTIVE

PLAN/ENTRY/SHEPHERD OF THE HILLS

END ELEVATION



ELEVATION/ TYP. BOTH SIDES



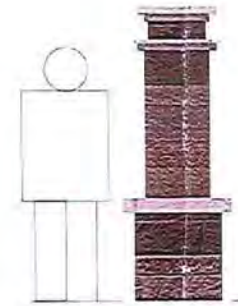
PLAN

SIGN 1

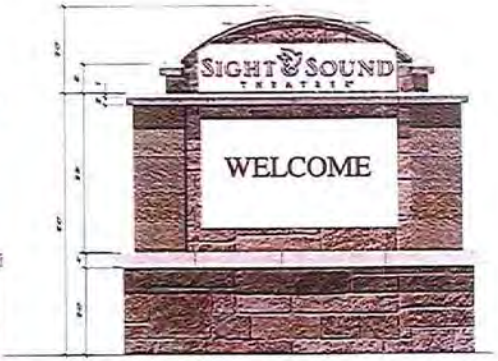
SIGHT & SOUND THEATRES

BRANSON MAJOR ID SIGNAGE

1



END ELEV. /WELCOME SIGN



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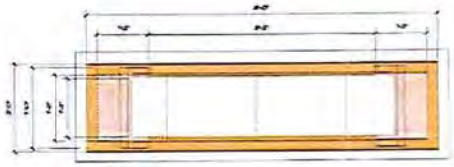


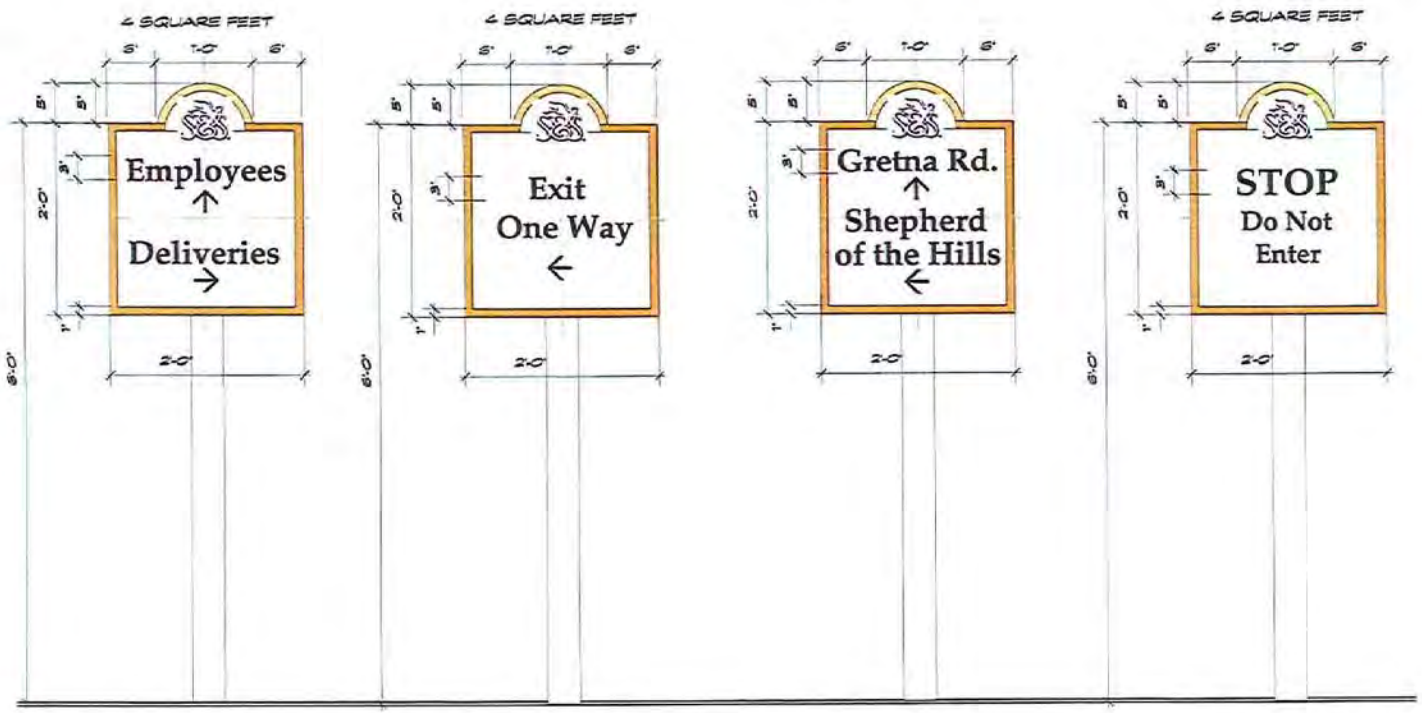
PLAN/WELCOME SIGN

SIGN 4

SIGHT & SOUND THEATRES

BRANSON WELCOME SIGN

4

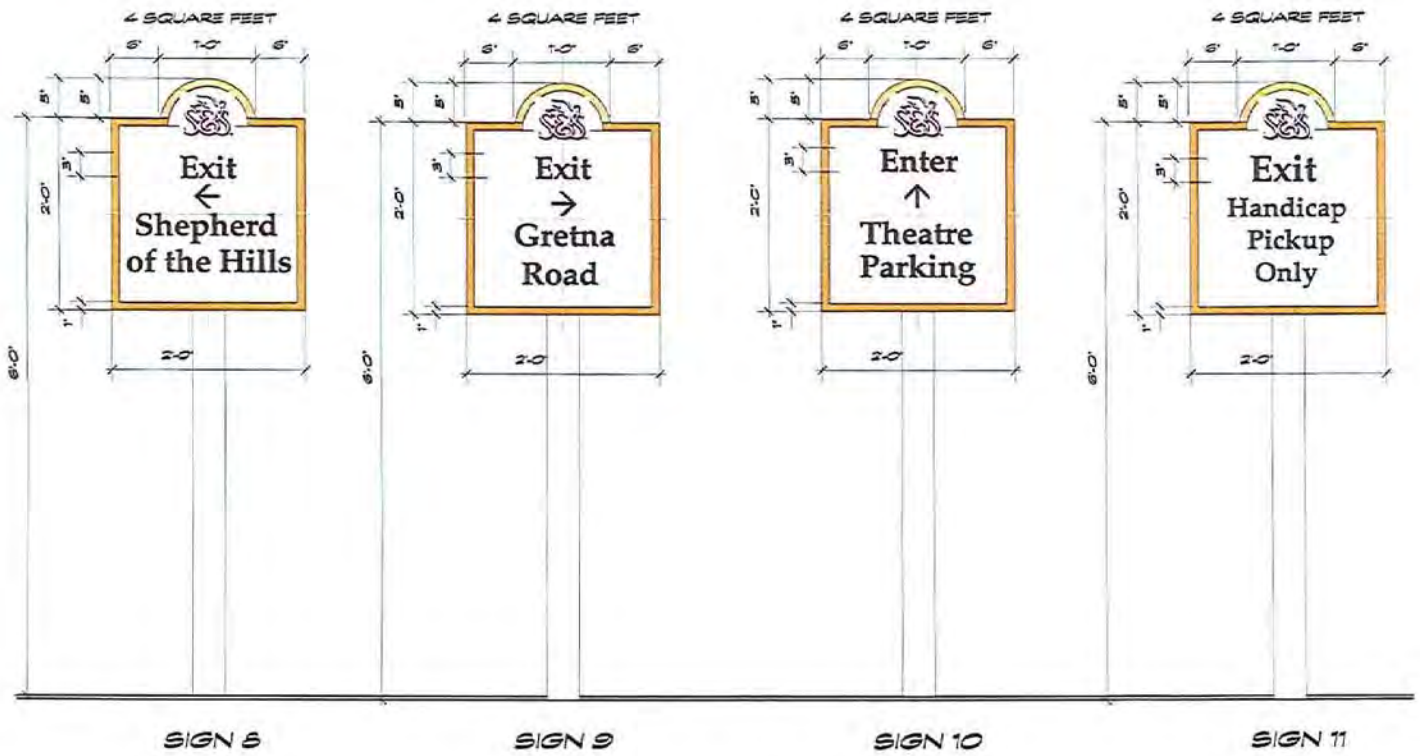


SIGN 3 SIGN 5 SIGN 6 SIGN 7

PREPARED BY:

SIGHT & SOUND THEATRES

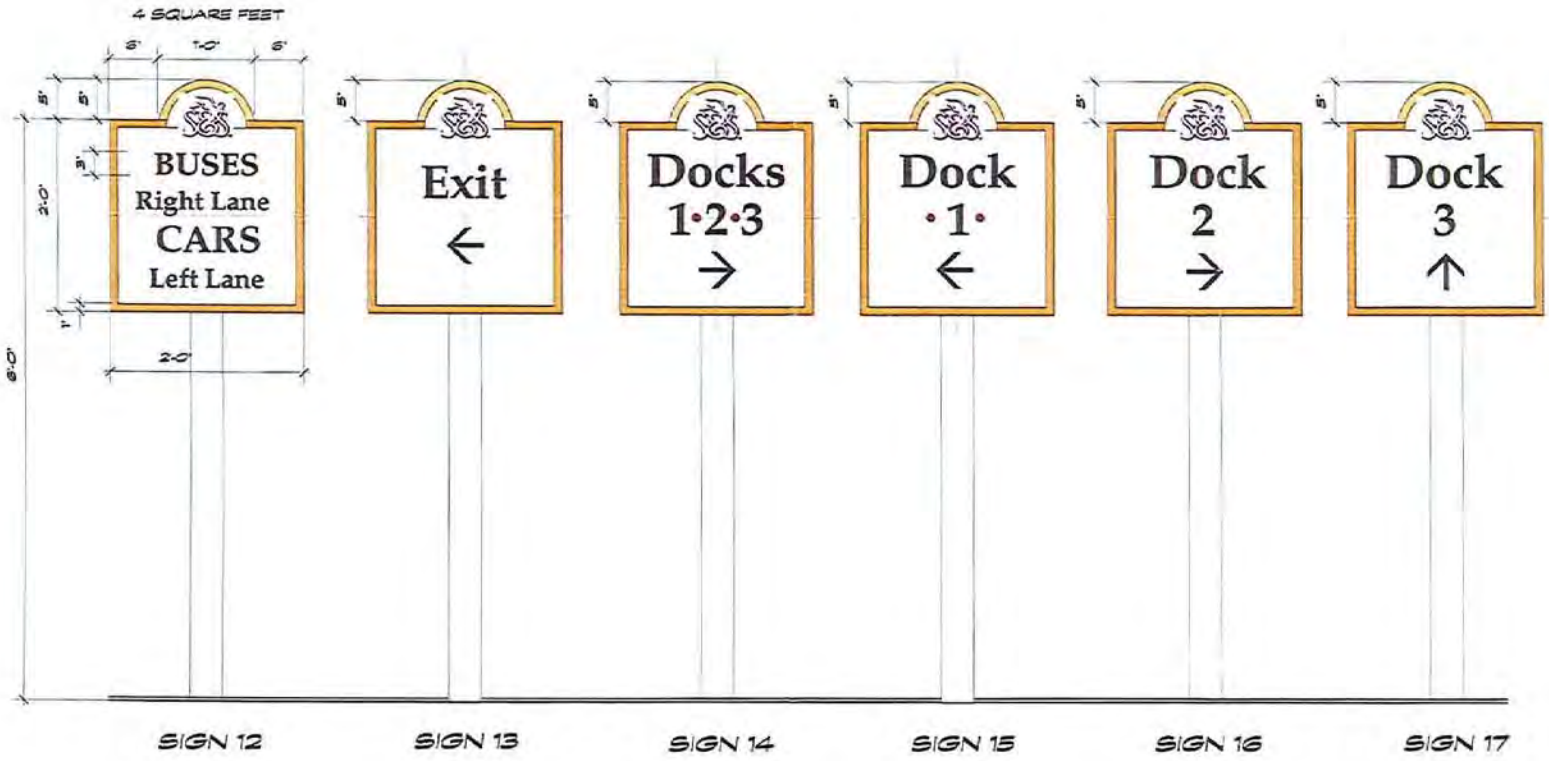
1/6/2006



PREPARED BY:

SIGHT & SOUND THEATRES

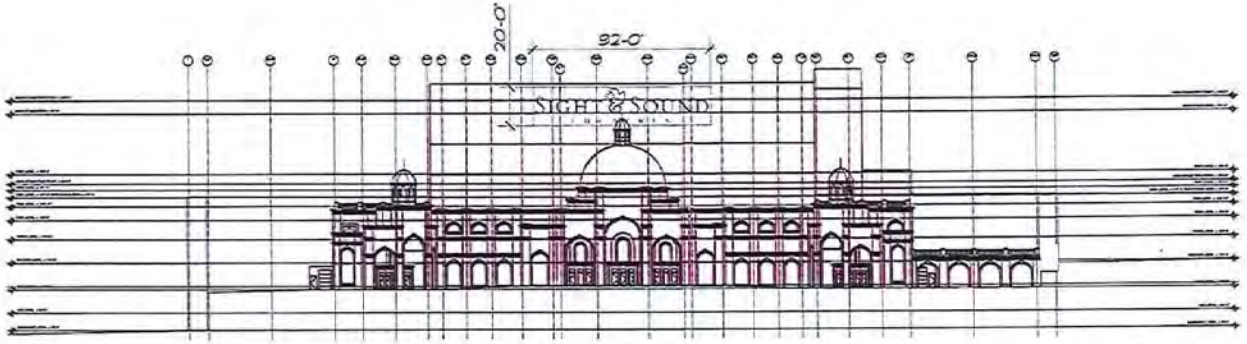
1/6/2006



PREPARED BY:

SIGHT & SOUND THEATRES

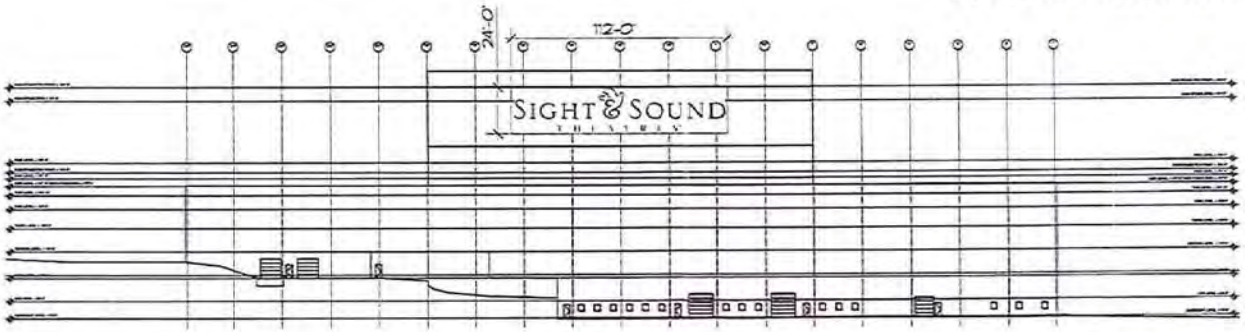
1/6/2006



FRONT ELEVATION

SIGN 18

SIGN AREA = 1,840 SQ. FT.
FRONT ELEVATION = 30,332 SQ. FT.



REAR ELEVATION

SIGN 19

SIGN AREA = 2,666 SQ. FT.
REAR ELEVATION = 41,250 SQ. FT.

PREPARED BY:

SIGHT & SOUND THEATRES

1/6/2006

Section 4.00 - Supplement to Amendment 1

Sight & Sound Theatres takes show productions to a whole new level and is recognized as one of the top three theater destinations in the country. A significant element in each show are the live animals. It is essential to provide the animals fresh air and sunlight which is the main reason for amending PD-2006-003.

4.00 Agricultural Use

4.01 Infrastructure and management of an agricultural pasture or pastures are as follows:

a). Accessory buildings in the form of small agricultural mobile or permanent shelters without impervious flooring. Refer to the concept images of animal shelters.

b) USDA (United States Department of Agriculture) requires a minimum of 4-foot high double fencing/gate system. The inner fence shall be 4 feet back from the outer fence to keep the public and animals out of reach from each other. Refer to concept images of outer fence.

c) USDA requires fresh drinking water for the animals. A new water line will be tied to city water.

d) Site Lighting and cameras must be implemented for security purposes. Site lighting shall meet current code to avoid spill over onto neighboring properties.

e) Provide 10-foot landscape buffer yard between double fence and neighboring properties.

f) Where a pasture or pastures are planned, the intent is not to disturb the existing topography. If re-grading is necessary, the Owner shall engage a civil engineer to address Land Disturbance issues.

h) Maintain clean and sanitary conditions, free from offensive or noxious odor. Animal waste shall be collected as frequently as necessary.

i) Weather permitting, the animals will occupy the pasture(s) most of the time.

j) Noise level, from the animals, between the hours of 11:00PM and 7:00 AM shall not exceed a decibel level of 75, measured at the property line adjacent to neighboring properties.

5.00 Off Premise Signage – Overlay Signage Zone (Reserved)

SECTION 4.0 - CONCEPT IMAGES OF FENCE AND SHELTERS FOR ANIMAL PASTURE

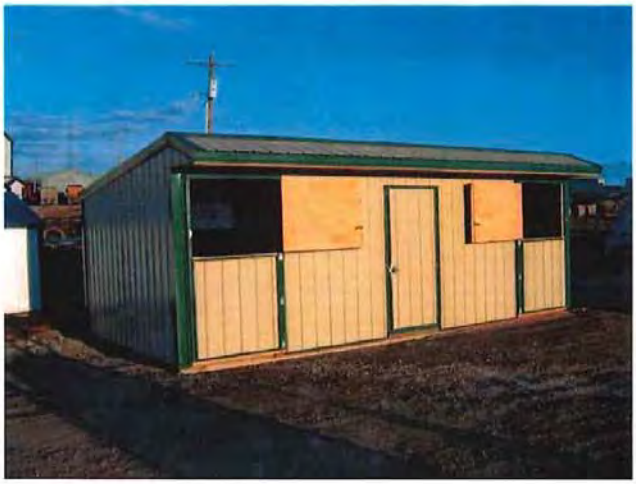


EXHIBIT 'A'

VICINITY MAP

One Page

Vicinity Map
Legend
Gretna
Sight & Sound Theatres
Sight & Sound Theatres
Gretna
Expressway Ln
Roark Valley Dr
Motley Dr
Violyn Dr
Hummingbird Ln
Shepherd of the Hills Expy
248
W Outer Rd
Blackcliff Rd
Roark Hills Dr
Roark Valley Rd
Gretna Rd
Oak Hill Rd
Valley View Dr
Oak Ln
Roark Ave
Michel Ln
Walnut Ln
Highland St
Hideaway St
Herschend Ln
Nelle St
Della St
Packer St
Westwood Dr
Hillcrest Pl
Nehardt Ave
Colonial Dr
Good Dr
Todd Dr
Tanger Blvd
Oak Creek Dr
Forsythe Blvd
Hwy 65
65
76
W Main
S Sunshine
Vaughn Rd
Lee Ave
S Old Country Rd
Elm St
Civil Dr
5000 ft
N
Google Earth
©2019 Google

EXHIBIT 'B'

AMENDMENT 1
PLANNED DEVELOPMENT PLAN

One Page

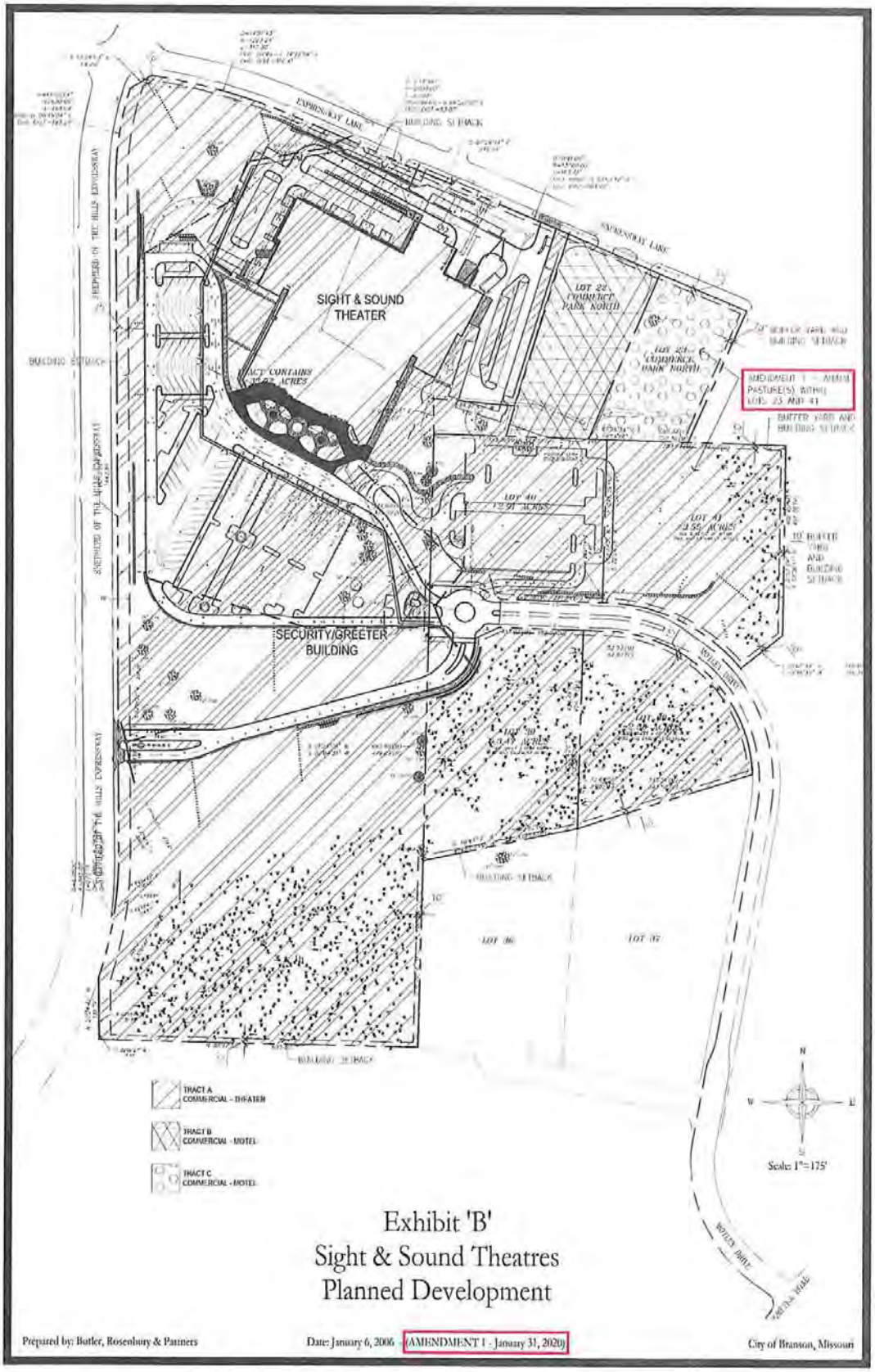


Exhibit 'B'
Sight & Sound Theatres
Planned Development

Prepared by: Butler, Rosenbury & Partners

Date: January 6, 2006 - (AMENDMENT 1 - January 31, 2020)

City of Branson, Missouri

EXHIBIT 'C'

GENERAL WARRANTY DEED
&
LEGAL DESCRIPTIONS

EXHIBIT 'C'

Main Tract 33.02 Acres

TRACT ONE: A TRACT OF LAND IN THE SW1/4 OF THE NE1/4 OF SECTION 25, TOWNSHIP 23, RANGE 22, DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF LOT 18 COMMERCE PARK NORTH AS PER THE RECORDED PLAT THEREOF IN PLAT BOOK 22 AT PAGE 51, TANEY COUNTY RECORDERS OFFICE, THENCE N66°54'27"W, 86.63 FEET; THENCE N00°00'45"W, 370.84 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF SHEPHERD OF THE HILLS EXPRESSWAY; THENCE SOUTHEASTERLY ALONG SAID RIGHT-OF-WAY LINE THROUGH A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 19°38'08", A RADIUS OF 650.00 FEET, A CHORD BEARING OF S85°50' 19"E; 222.76 FEET TO THE NORTHWEST CORNER OF SAID LOT 18; THENCE S19°56'45"W, ALONG THE WEST LINE OF SAID LOT 18, 415.54 FEET TO THE POINT OF BEGINNING.

AND A TRACT OF LAND SITUATED IN THE SW1/4 OF THE NE1/4 AND THE E1/2 OF THE NW1/4 OF THE SE1/4, SECTION 25, TOWNSHIP 23N, RANGE 22W, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID, E1/2 NW1/4 SE1/4; THENCE N87°36'29"W, 684.39 FEET TO THE SOUTHWEST CORNER OF SAID E1/2 NW1/4 SE1/4: THENCE N00°00'17"W ALONG THE WEST LINE OF SAID E1/2 NW1/4 SE1/4 EXTENDED 1710.94 FEET; THENCE S67°20'26"E, 86.63 FEET TO THE SOUTHWEST CORNER OF LOT 18, COMMERCE PARK NORTH: THENCE CONTINUING S67°20'26"E, 439.96 FEET (S67°20'01"E, 440.00 FEET PLAT) ALONG THE SOUTHERLY LINE OF LOTS 18 AND 19 OF COMMERCE PARK NORTH; THENCE S59°02'19"E, ALONG THE SOUTHERLY LINE OF LOT 20, COMMERCE PARK NORTH, 277.22 FEET; THENCE S00°20'26"E, 74.73 FEET (S00°20'36"E, 74.72 FEET MEASURED) TO THE NORTHEAST CORNER OF SAID E1/2 NW1/4 SE1/4; THENCE S01°44'39"W, 1319.89 FEET TO THE POINT OF BEGINNING.

Small Tract near Motel

TRACT #1:
A TRACT OF LAND SITUATED IN THE SE1/4 OF THE NE1/4 OF SECTION 25, TOWNSHP 23 NORTH, RANGE 22 WEST, TANEY COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE SE1/4 OF THE NE1/4 OF SAID SECTION 25; THENCE S88°14'19"E, ALONG THE SOUTH LINE OF SAID SE1/4 OF THE NE1/4, A DISTANCE OF 154.09 FEET; THENCE N16°53'46"E, LEAVING SAID SOUTH LINE, A DISTANCE OF 67.47 FEET, TO THE SOUTHEAST CORNER OF LOT 21, COMMERCE PARK NORTH AS RECORDED IN PLAT BOOK 22 AT PAGE 51; THENCE N84°57'49"W (MEASURED), N84°42'20"W (PLAT), A DISTANCE OF 175.16 FEET (MEASURED), 175.08 FEET (PLAT), TO THE SOUTHWEST CORNER OF SAID LOT 21; THENCE S00°39'04"E, A DISTANCE OF 75.20 FEET TO THE POINT OF BEGINNING; EXCEPT ANY PORTION LYING WITHIN ROADWAY.

Tract behind Lot 23

TRACT 2:
A TRACT OF LAND SITUATED IN THE SE1/4 OF THE NE1/4 OF SECTION 25, TOWNSHIP 23 NORTH, RANGE 22 WEST, TANEY COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE SE1/4 OF THE NE1/4 OF SAID SECTION 25; THENCE S88°14'19"E, ALONG THE SOUTH LINE OF SAID SE1/4 OF THE NE1/4, A DISTANCE OF 333.77 FEET, FOR A NEW POINT OF BEGINNING; THENCE N22°50'56"E, LEAVING SAID SOUTH LINE, A DISTANCE OF 61.63 FEET, TO THE SOUTHWEST CORNER OF LOT 23, COMMERCE PARK NORTH AS RECORDED IN PLAT BOOK 22 AT PAGE 51; THENCE S85°52'09"E, (MEASURED), S84°42'20"E, (PLAT), A DISTANCE OF 211.30 FEET (MEASURED), 211.12 FEET (PLAT), TO THE SOUTHEAST CORNER OF SAID LOT 23; THENCE S24°09'00"W, A DISTANCE OF 52.75 FEET, TO THE SOUTH LINE OF SAID SE1/4 OF THE NE1/4; THENCE N88°14'19"W, ALONG SAID SOUTH LINE, A DISTANCE OF 213.20 FEET, TO THE NEW POINT OF BEGINNING, EXCEPT ANY PORTION LYING WITHIN ROADWAY.

Tracts on each side of Motley at cul-de-sac.

ALL OF LOTS 38, 39, 40 AND 41, BRANSON MEADOWS, PHASE II AS PER THE PLAT FILED IN PLAT SLIDE D AT PAGE 580, TANEY COUNTY RECORDERS OFFICE.

Tracts south of motel

ALL OF LOT 18, COMMERCE PARK NORTH AS PER THE PLAT RECORDED IN PLAT BOOK 22 AT PAGE 51, TANEY COUNTY RECORDERS OFFICE.

ALL OF LOT 19, COMMERCE PARK NORTH AS PER THE PLAT RECORDED IN PLAT BOOK 22 AT PAGE 51, TANEY COUNTY RECORDERS OFFICE.

ALL OF LOTS 20 AND 21, COMMERCE PARK NORTH AS PER THE PLAT RECORDED IN PLAT BOOK 22 AT PAGES 51 AND 52, RECORDS OF TANEY COUNTY, MISSOURI, AND THAT 80 FOOT TRACT OF LAND LYING BETWEEN LOTS 19 AND 20 AS SHOWN ON PLAT RECORDED IN PLAT BOOK 22 AT PAGES 51 AND 52.

Tract adjacent to Motel

ALL OF LOT 23, COMMERCE PARK NORTH, AS PER THE RECORDED PLAT THEREOF, IN PLAT BOOK 22 AT PAGE 51, TANEY COUNTY RECORDERS OFFICE, TANEY COUNTY, MISSOURI.

PLANNING COMMISSION

MARCH 3, 2020

ROLL CALL

PUBLIC COMMENTS

REGULAR AGENDA ITEMS

1) Approve Minutes

(a) Planning Commission Study Session

(November 5, 2019)

(b) Planning Commission Regular Meeting

(November 5, 2019)

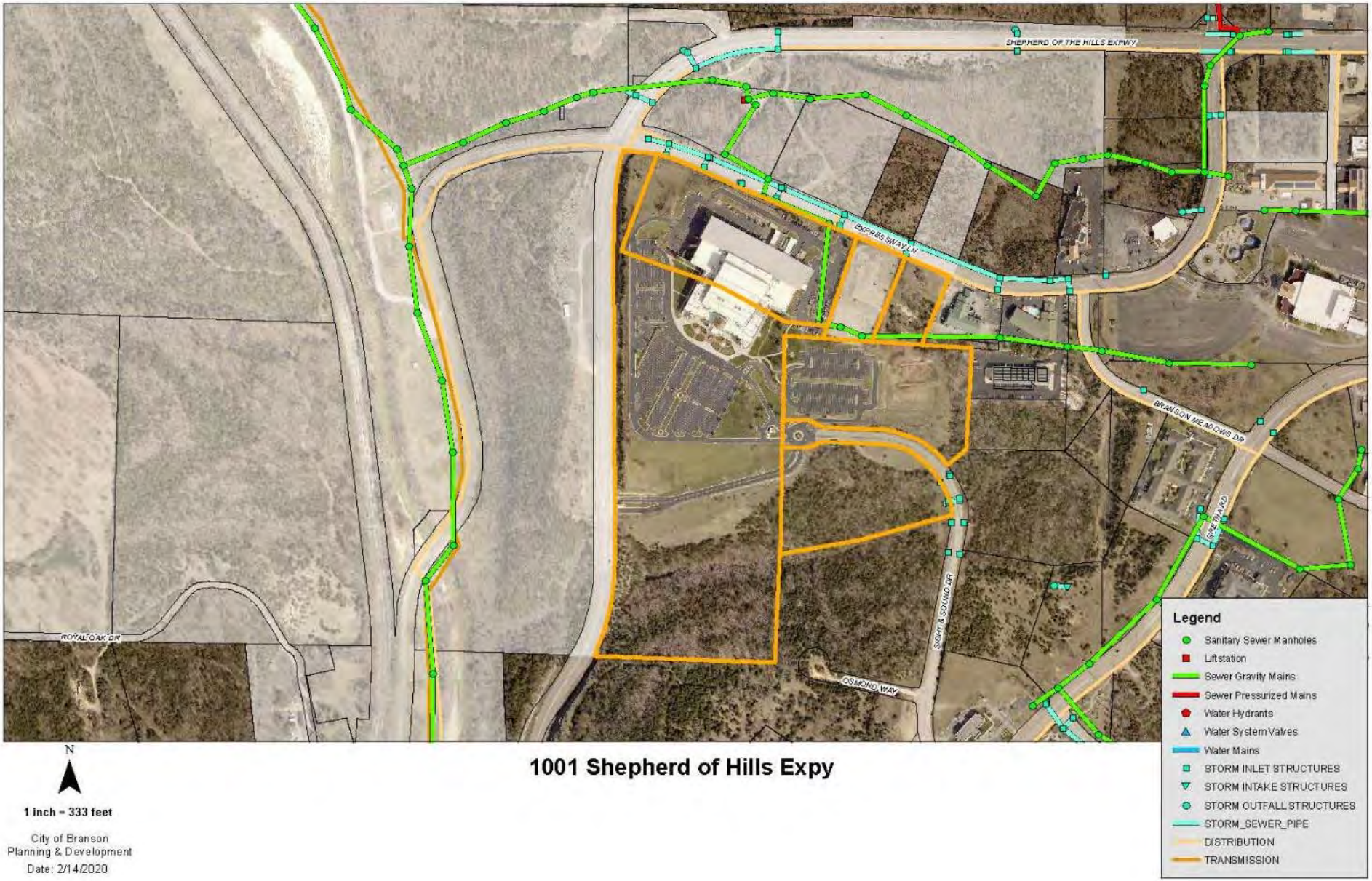
OLD BUSINESS

PUBLIC HEARING AGENDA ITEMS

2) PD AMENDMENT

1001 SHEPHERD OF THE HILLS EXPRESSWAY

- Applicant: Good Shepherd Meadows, LP and Expressway Inn
- Current Zoning: Planned Development (PD) - Sight & Sound
- Applicant's Request: To amend uses by right

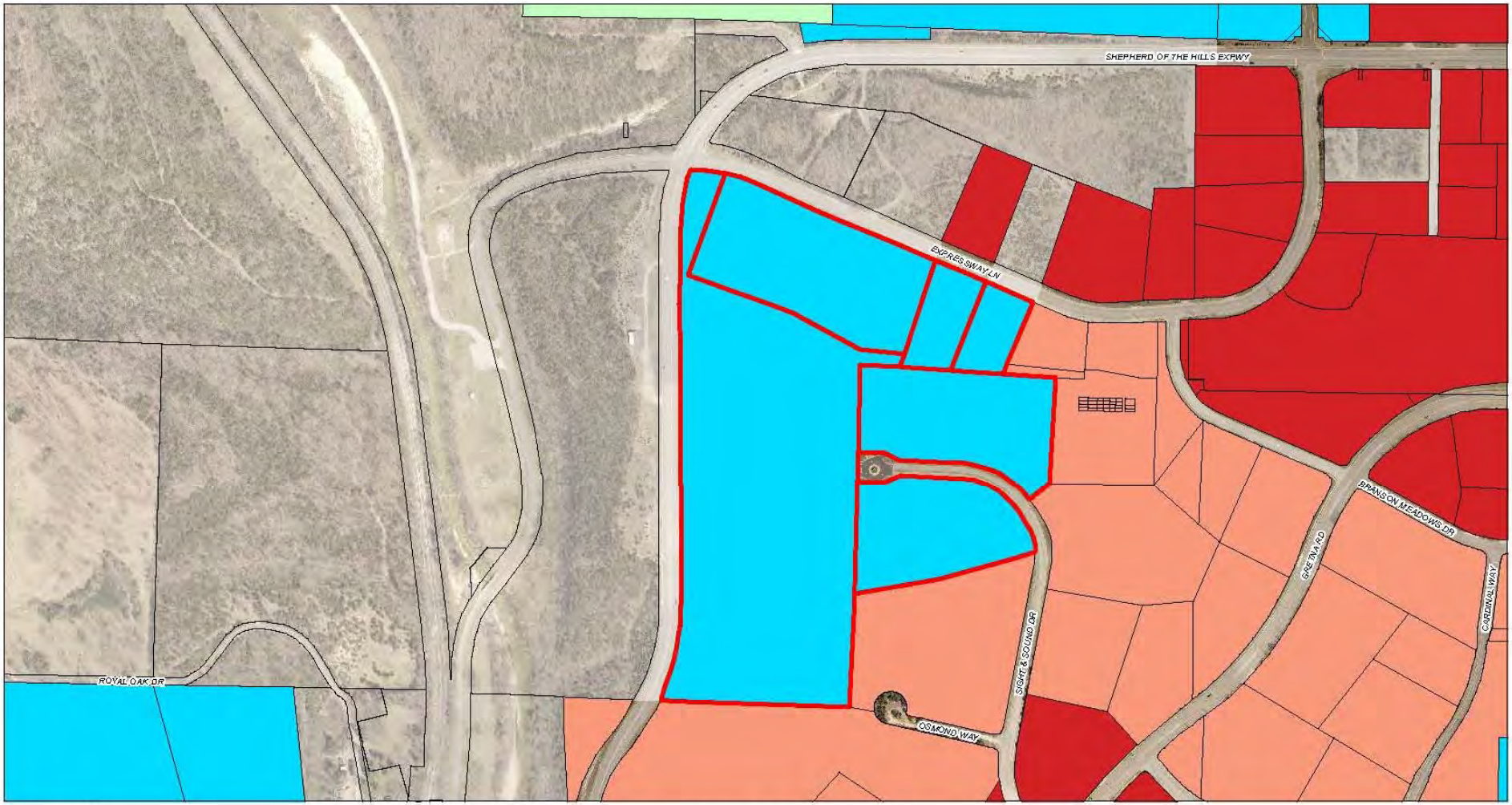


N

1 inch = 333 feet

City of Branson
Planning & Development
Date: 2/14/2020

1001 Shepherd of Hills Expy



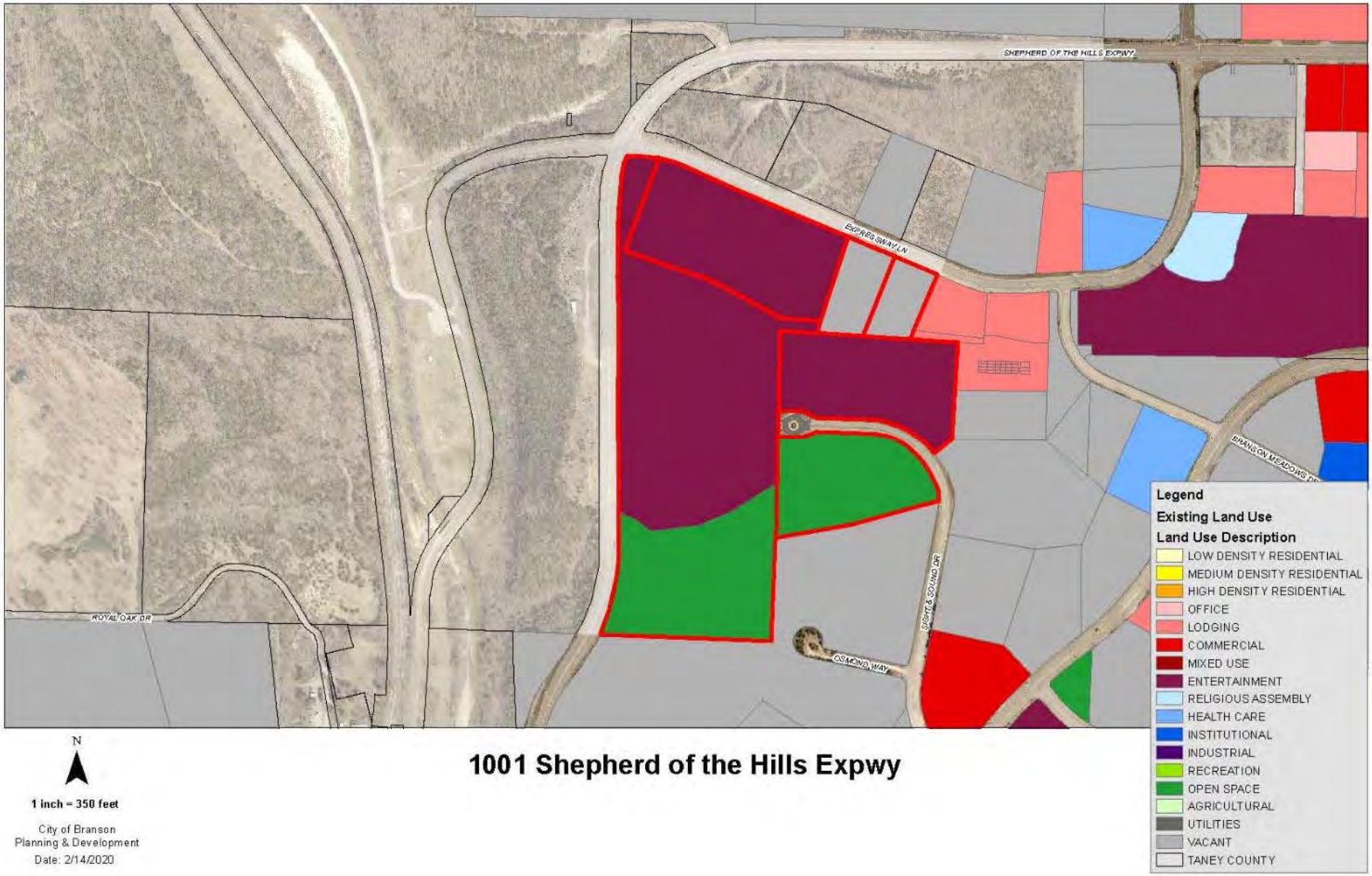
N

1 inch = 350 feet

City of Branson
Planning & Development
Date: 2/14/2020

1001 Shepherd of the Hills Expwy

- 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 = 350 feet

City of Branson
Planning & Development
Date: 2/14/2020

1001 Shepherd of the Hills Expwy

2) PD AMENDMENT

2) PD AMENDMENT

- Request to amend “Regulations Specific to Each Tract of Land” (Sec. 2)
- **Tract A**
  - Add “animal pasture”
  - Allow accessory structures for agricultural in addition to commercial purposes
- **Tract B**
  - No proposed changes
- **Tract C**
  - Add “animal pasture”
  - Allow accessory structures for agricultural in addition to commercial purposes

2) PD AMENDMENT

- In conjunction with animal pasture, the following supplements (Sec. 4) has been included for infrastructure and management:
  - Accessory buildings in form of small agricultural shelters
  - Minimum 4-foot high, double fencing/gate system with 4-foot offset to keep public and animals out of reach from each other (USDA requirement)
  - Site lighting and cameras required for security purposes and shall avoid spill over onto neighboring properties
  - Provide 10-foot landscape buffer yard between double fence and neighboring properties

2) PD AMENDMENT

- In conjunction with animal pasture, the following supplements (Sec. 4) has been included for infrastructure and management:
  - Intent is to not disturb existing topography
  - Maintain clean and sanitary conditions (free from offensive or noxious odor)
  - Animals will occupy the pasture(s) most of the time, weather permitting
  - Noise level from animals shall not exceed 75 decibel between 11 pm and 7 am (measured at property line of adjacent properties)

2) PD AMENDMENT

STAFF RECOMMENDS APPROVAL.

COMMISSIONER & STAFF REPORTS

ADJOURNMENT