

BILL NO. 2953

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE APPROVING A ZONING CHANGE FROM "PD" PLANNED DEVELOPMENT TO "C" COMMERCIAL FOR A PARCEL OF LAND KNOWN AS BRANSON PROFESSIONAL PARK, LOCATED IN PD-97-001, A PART OF CABINS AT MAPLE CREEK, BRANSON, MISSOURI**

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

**WHEREAS**, the property described herein is located in the city limits of Branson, Missouri; and

**WHEREAS**, the property described herein is currently zoned "PD" Planned Development as part of PD-97-001; 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 November 2, 2004, and recommends approval of this rezoning.

**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, and described as:

**LOT 1, PROFESSIONAL PARK**

is hereby rezoned from "PD" Planned Development to "C" Commercial, subject to the Land Use Regulations of the City of Branson contained in Title IV of the Branson Municipal Code.

**Section 2.** That 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.

**Section 3.** 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 immediately after passage by the Board and endorsement by the Mayor.

Read this first time on this \_\_\_\_\_ day of \_\_\_\_\_, 2004.


Read this second time, passed and truly agreed to by the Board of Aldermen of the City of Branson, Missouri, on this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
Louis E. Schaefer  
Mayor

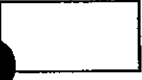

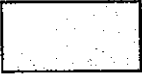

ATTEST:

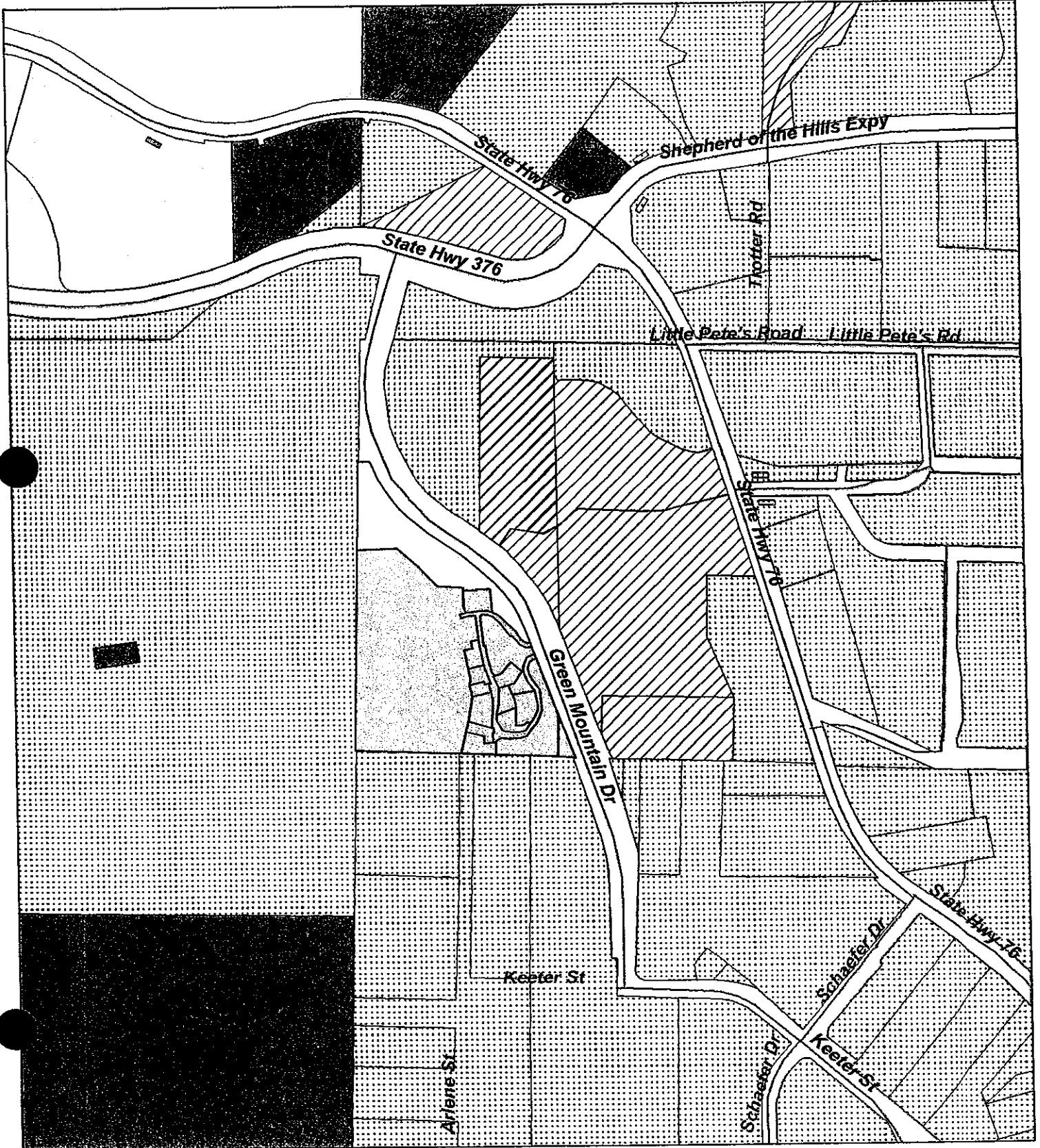
APPROVED AS TO FORM:

\_\_\_\_\_  
Sandra L. Williams  
City Clerk

  
\_\_\_\_\_  
Daniel R. Wichmer  
City Attorney

# Vicinity Map

	Professional Park Lot 1		Planned Development
	Cabins at Maple Creek		Commercial



**PLANNING AND ZONING COMMISSION**

**RESOLUTION NO. P-2004-034**

**A PLANNING COMMISSION RESOLUTION RECOMMENDING APPROVAL OF A ZONING CHANGE APPLICATION FROM PROFESSIONAL PARK LLC FOR PROPERTY LOCATED ON GREEN MOUNTAIN DRIVE, FROM "PD" PLANNED DEVELOPMENT TO "C" COMMERCIAL, BRANSON, MISSOURI.**

**WHEREAS**, an application has been submitted to the City of Branson by Professional Park LLC requesting approval of a zoning change for property legally described as follows:

A TRACT OF LAND BEING PART OF PARCELS A AND B OF THE LOT SPLIT RECORDED IN PLAT BOOK/SLIDE G, AT PAGE 359 OF THE RECORDS OF TANEY COUNTY, MISSOURI, SAID TRACT BEING SITUATED IN THE NW1/4 OF THE SW1/4 OF SECTION 35, TOWNSHIP 23 NORTH, RANGE 22 WEST, CITY OF BRANSON, TANEY COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN EXISTING 1/2" IRON PIN MARKING THE SOUTHWEST CORNER OF THE NW1/4 OF THE SW1/4 OF SAID SECTION 35; THENCE N 00°04'19" E, (MEASURED) N 00°06'02" E, (PLAT), ALONG THE WEST LINE OF SAID NW1/4 OF THE SW1/4, A DISTANCE OF 650.36 FEET, FOR A NEW POINT OF BEGINNING; THENCE CONTINUE N 00°04'19" E, (MEASURED), N 00°06'02" E, (PLAT), ALONG SAID WEST LINE, A DISTANCE OF 285.34 FEET, TO AN EXISTING 1/2" IRON PIN MARKING THE NORTHWEST CORNER OF SAID PARCEL A; THENCE S 89°56'00" E, (MEASURED), S 89°54'52" E, (PLAT), A DISTANCE OF 59.34 FEET, TO AN EXISTING 1/2" IRON PIN ON THE WESTERLY RIGHT-OF-WAY LINE OF GREEN MOUNTAIN DRIVE MARKING THE NORTHEAST CORNER OF SAID PARCEL A; ALONG THE WESTERLY RIGHT-OF-WAY LINE OF GREEN MOUNTAIN DRIVE AS FOLLOWS; THENCE SOUTHEASTERLY ALONG A NON-TANGENT 9.1973 DEGREE SEGMENT OF A CURVE TO THE LEFT 330.16 FEET (SAID SEGMENT HAVING A CHORD BEARING AND DISTANCE OF S 40°11'30" E, 326.31 FEET AND HAVING A RADIUS OF 622.96 FEET); THENCE S 55°22'30" E, A DISTANCE OF 160.48 FEET; THENCE SOUTHEASTERLY ALONG A 14.3239 DEGREE CURVE TO THE RIGHT 242.04 FEET (SAID CURVE HAVING A RADIUS OF 400.00 FEET); THENCE S 20°42'19" E, A DISTANCE OF 49.15 FEET; THENCE N 76°04'17" W, LEAVING SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 12.14 FEET; THENCE N 54°40'31" W, A DISTANCE OF 15.42 FEET; THENCE N 28°05'36" W, A DISTANCE OF 12.14 FEET; THENCE N 35°37'23" W, A DISTANCE OF 22.03 FEET; THENCE N 42°55'17" W, A DISTANCE OF 26.20 FEET; THENCE N 52°03'05" W, A DISTANCE OF 34.18 FEET; THENCE N 46°14'53" W, A DISTANCE OF 10.42 FEET; THENCE N 63°14'18" W, A DISTANCE OF 26.05 FEET; THENCE N 78°55'35" W, A DISTANCE OF 2.90 FEET, TO THE SOUTHEAST CORNER OF PHASE 6 CABINS AT GREEN MOUNTAIN CONDOMINIUM CABIN 17 AND CABIN 18; THENCE N 02°41'14" W, A DISTANCE OF 73.37 FEET TO THE NORTHEAST CORNER OF SAID PHASE 6; THENCE S 87°18'14" W, ALONG THE NORTHERLY BOUNDARY OF SAID PHASE 6, A DISTANCE OF 43.33 FEET; THENCE S 02°41'14" E, ALONG SAID NORTHERLY BOUNDARY, A DISTANCE OF 1.60 FEET; THENCE S 88°17'27" W, A DISTANCE OF 44.29 FEET, TO THE NORTHWEST CORNER OF SAID PHASE 6; THENCE N 01°42'36" W, A DISTANCE OF 7.82 FEET; THENCE N 87°52'46" W, A DISTANCE OF 85.40 FEET; THENCE N 45°16'27" W, A DISTANCE OF 85.68 FEET; THENCE N 49°32'03" W, A DISTANCE OF 91.77 FEET; THENCE S 85°41'00" W, A DISTANCE OF 138.46 FEET, TO THE NEW POINT OF BEGINNING.

**WHEREAS**, a Public Hearing was held before the Branson Planning and Zoning Commission on November 2, 2004, at 7:30 p.m. in the City Council Chambers located at 110 West Maddux Street, Branson, Missouri; and,

**WHEREAS**, the review of the application, conducted by the Planning and Zoning Commission for the City of Branson, Missouri, has resulted in the determination that approval of the application is reasonable and will cause no adverse effect on the City's Comprehensive Plan.

**BE IT THEREFORE RESOLVED**, that the Planning and Zoning Commission for the City of Branson hereby recommends approval of the Zoning Change Application as herein described.

DONE THIS 2nd DAY OF NOVEMBER 2004, BY THE PLANNING AND ZONING COMMISSION FOR THE CITY OF BRANSON, MISSOURI.

*Rick Davis*

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Rick Davis-Chairman

ATTEST:

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Don D. Stephens - Director of Planning and Development