

# MINUTES

## REGULAR MEETING OF THE PLANNING COMMISSION CITY OF BRANSON, MISSOURI JULY 6, 2023

### CALL TO ORDER

The Planning Commission of the City of Branson, Missouri, met in Regular Session in the Council Chambers of the City Hall on July 6, 2023 at 6:00 PM. The meeting was called to order.

### ROLL CALL

Commissioners Present: Ruth Denham, Chuck O'Day, Gregg Richards, Phil Loyd, Gary Groman, Rick DeJager, Charles Hillis, Lewis Green, Jesse Martinosky. Commissioners Absent: Brad Gore.

### PUBLIC COMMENT:

Chairperson Groman asked if anyone was present wishing to speak to any items not on the agenda. He set a time limit of five minutes for each speaker.

Citizen JC spoke in opposition of the flag with the blue stripe, hanging in the Police Department lobby.

Chairperson Groman asked if anyone else wished to speak. Hearing none, the meeting moved to the Regular Agenda Items.

### REGULAR AGENDA:

1. APPROVAL OF THE PLANNING COMMISSION MINUTES FOR THE JUNE 6, 2023 REGULAR MEETING.

Rick DeJager moved to approve the minutes as presented, seconded by Chuck O'Day.

Voting aye: Denham, O'Day, Richards, Loyd, Groman, DeJager, Hillis, Martinosky, Green. Nays: none.  
Abstain: . Motion Carried.

### PUBLIC HEARING:

2. REQUEST FOR A ZONING CHANGE FROM LOW DENSITY RESIDENTIAL (LDR) TO ENTERTAINMENT (ENT) FOR THE PROPERTY LOCATED AT 511 DR GOOD DRIVE, BRANSON, MISSOURI.

Senior Planner, Jennifer Thompson, presented the item as recommended by staff.

Chairperson Groman, asked if the commissioners had any questions. Hearing none, he asked if the public had any comment.

Branson resident, Joyce Straley asked questions, Senior Planner Thompson responded.

Todd Polk from CFS Engineering spoke on the item.

Chairperson Groman asked if there were any other comments or questions. Hearing none, he called for a vote.

Phil Loyd moved to approve the resolution as presented, seconded by Ruth Denham.

Voting aye: Denham, O'Day, Richards, Loyd, Groman, DeJager, Hillis, Martinosky, Green.

Nays: none. Motion Carried.

**3. REQUEST FOR A SPECIAL USE PERMIT TO OPERATE A DRIVE-THRU AT THE PROPERTY LOCATED AT 550 BRANSON LANDING BLVD, BRANSON, MISSOURI.**

Senior Planner, Jennifer Thompson, presented the item as recommended by staff.

Chairperson Groman, asked if the commissioners had any questions.

Commissioners asked questions and provided comments. Senior Planner Thompson responded.

Chairperson Groman, asked if the public had any questions or comments.

Ed Brink, applicant and franchisee of Scooter's Coffee, commented on the item.

Chairperson Groman, asked if there were any other comments or questions. Hearing none, he called for a vote.

Ruth Denham moved to approve the resolution as presented, seconded by Jesse Martinosky.

Voting aye: Denham, O'Day, Richards, Loyd, Groman, DeJager, Hillis, Martinosky, Green.

Nays: none. Motion Carried.

**4. A RESOLUTION RECOMMENDING MUNICIPAL CODE AMENDMENTS TO CHAPTER 94 OF THE BRANSON MUNICIPAL CODE CONCERNING DRAG SHOWS.**

Attorney Joe Lauber presented the item as recommended by staff.

Chairperson Groman, asked if the commissioners had any questions or comments.

Commissioners asked questions and provided comments. Attorney Joe Lauber responded.

Chairperson Groman, asked if the public had any questions or comments, and he provided a three-minute time limit for each speaker.

Jim Stephens, Branson resident, spoke.

Jill Reynolds, Branson West residence, spoke.

Ron Ensich, Stone County resident, spoke.

Rose Wilcox, [Resident], spoke.

Anna Harp, Taney County resident, spoke.

Joyce Straley, Branson resident, spoke.

Trudy Proctor, Branson resident, spoke.

Gary Clayton, Non-Resident, spoke.

Les Lamoureux, Branson West resident, spoke.

Mike Kennedy, Hollister resident, spoke.

Rebecca White, Kimberling City resident, spoke.  
Merry Feldhaus, Branson West resident, spoke.  
Joanne Caswell, Branson resident, spoke.  
Eldon Sanderson, Kisse Mills resident, spoke.  
Phil Feldhaus, Branson West resident, spoke.  
Daniel Shepherd, Branson resident, spoke.  
Sarah Berglundm, Taney County resident, spoke.

Chairperson Groman closed the public comment and asked if the Commissioners had any questions or comments. Commissioners asked questions and provided comments.

Chairman Groman then welcomed additional public comments

Anna Harp, Taney County resident, spoke.  
Sarah Berglund, Taney County resident, spoke.

Attorney Joe Lauber responded.

Chairperson Groman ended the discussion and requested a roll call vote to approve the proposed resolution.

Vice Chairperson DeJager asked for a motion to amend Section 1, line item 66, reducing the percentage of the performance from 25% to 20%.

Rick DeJager moved to approve the amendment, seconded by Ruth Denham.  
Voting aye: Groman, DeJager. Nays: Richards, Denham, Green, Hillis,  
Loyd, Martinosky, O'Day. Motion Defeated.

Ruth Denham made a motion to amend Section 1, line 66, to strike the phrase "occurs for more than 25% of the performance", so there is no percentage.

Ruth Denham moved to approve the amendment, seconded by Phil Loyd.  
Voting aye: Denham, Green, Hillis, Groman, DeJager. Nays: Richards, Loyd, Martinosky, O'Day.  
Motion Carried.

Ruth Denham made a motion to amend Section 1, line 73, pertaining to the definition of a drag show establishment to read: "an establishment at which live entertainment is offered at the establishment qualifies as drag shows".

Ruth Denham moved to approve the amendment, seconded by Phil Loyd.  
Voting aye: Richards, Denham, Green, Hillis, Groman, DeJager, Loyd, Martinosky. Nays: O'Day.  
Motion Carried.

Chairperson Groman entertained a motion to adopt the resolution, provided that the proposed ordinance is amended as directed.

Ruth Denham moved to approve the amendment, seconded by Lewis Green.  
Voting aye: Denham, Green, Hillis, Groman, DeJager, Loyd, Martinosky. Nays: Richards, O'Day.  
Motion Carried.

A motion was entertained to authorize Chairperson Groman to sign the documents to be sent to the Board of Aldermen, once they have been amended in accordance with the commission's direction. Ruth Denham moved to approve; seconded by Lewis Green.  
Voting aye: Richards, Denham, Green, Hillis, Groman, DeJager, Loyd, Martinosky. Nays: O'Day.  
Motion Carried.

## **REPORTS**

Chairperson Groman asked if Staff had any reports, hearing none, he asked if Commissioners had any reports, hearing none, he moved to adjournment.

## **ADJOURN**

Chuck O'Day moved to adjourn the meeting at 8:29 PM., seconded by Gregg Richards.  
Voting aye: Denham, O'Day, Richards, Loyd, Groman, DeJager, Hillis, Martinosky, Green. Nays: none.  
Motion Carried.

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Chairperson

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City Staff