



EL DORADO

THE FINE ART OF LIVING WELL

PLANNING COMMISSION MINUTES - DRAFT
March 28, 2019
6:30 p.m.

1. CALL TO ORDER & ROLL CALL

Chairman Tetrick called the meeting to order at 6:30pm.

Members Present:

Scott Hackler
Scott Leason
Brad Long
David Stewart
Kelly Tetrick
Gerald Watson

Staff Present:

Jay Shivers
Scott Rickard

Others Present:

R.W. Proctor 420 N. Denver
Randy Ewart 409 N. Taylor

2. APPROVAL OF MINUTES

Commissioner Stewart moved to approve the February 28th, 2019, meeting minutes, seconded by Commissioner Hackler. The motion passed unanimously (6-0).

3. NEW BUSINESS

Chairman Tetrick started with Item No. 2.

ITEM NO. 2 – CASE NO. 19-01-PLAT: CONSIDERATION OF THE REPLAT OF PATTEN ADDITION.

A) PRESENTATION OF REQUEST

Jay Shivers provided a brief overview of the replat. He said it primarily rearranges the lot lines from the previous plat of Patten Addition, provides one new easement for an oil well, and no new right-of-way dedications.

B) DISCUSSION BY PLANNING COMMISSIONERS

Chairman Tetrick asked about the second oil well easement on Lot 1. Roger Cutsinger said the oil well has been there all along but they added a 50 foot easement around to allow for a pulling unit to access the well.

Commissioner Long asked if they were looking to add more businesses with the replat. Mr. Cutsinger said the lots already have businesses, they just want space to expand. Commissioner Long asked if Mr. Patten still had the land to the west. Mr. Cutsinger said his business is still there.

C) MOTION

Commissioner Long moved to approve the replat of Patten Addition as presented, seconded by Commissioner Hackler.

Roll Call Vote

Commissioner Hackler	Yes
Commissioner Leason	Yes
Commissioner Long	Yes
Commissioner Stewart	Yes
Chairman Tetrick	Yes
Commissioner Watson	Yes

The motion passed (6-0).

ITEM NO. 1 – CASE NO. 19-01-SUP: PUBLIC HEARING FOR THE CONSIDERATION OF A REQUEST FOR A SPECIAL USE PERMIT AT 410 AND 412 N. DENVER STREET TO ALLOW AN ACCESSORY STRUCTURE EXCEEDING 1,200 SQUARE FEET IN AREA AND 12 FEET IN HEIGHT AT THE SIDE WALL.

A) PRESENTATION OF REQUEST

Mr. Shivers reviewed the staff memo. He added that staff had met with Mr. Ewart earlier in the week and that Mr. Ewart was already planning to add a privacy fence up to the corners of the proposed building, build a wrought iron fence in the front yard, and add trees and landscaping to the property.

Mr. Ewart said size and roof of the building won't be noticeable when he's done planting trees and landscaping. He said he wants the front to look like the Lincoln Memorial including columns

in front of the garage door. He said he's made the building smaller and shorter than his last proposal. He said he wants it to look good and is open to suggestions.

Chairman Tetrick asked how far off the street the building will be. Commissioner Long said about 55 to 60 feet.

Mr. Ewart said Mr. Proctor, his neighbor, attended to support his building. He said he doesn't want to devalue the neighborhood but improve it and hope that it leads to other improvements in the area. He said the neighborhood hasn't changed in the 35 years he has lived there.

B) PUBLIC HEARING

Chairman Tetrick opened the public hearing. Mr. Robert Proctor said he owns 420 N. Denver. He said he knows Randy and that demolishing the two homes improved the neighborhood dramatically. He said they can't be any worse off with the building Mr. Ewart proposes. He said the garage will largely be behind the other homes and obscured. He said he has no objection.

Mr. Ewart said he plans to put vinyl siding on the front of the building to match his home. He said he has vinyl siding on his house and his builder said it would be no problem to put on the front of his garage.

Commissioner Long said one of the issues they discussed last time was height and asked how tall the building will be. Mr. Ewart said it would be lower since they lowered the side walls. Commissioner Long asked what the roof material will be. Mr. Ewart said it would be steel. Chairman Tetrick said one of the drawings says 19 foot and six inches. Mr. Ewart said with the square facing the peak of the roof won't be visible.

There being no one else to speak, the public hearing was closed.

C) DISCUSSION BY PLANNING COMMISSIONERS

Commissioner Long said he has mixed feelings on an oversized building in a neighborhood but also said he lives in the area and the neighborhood is run down. He said this building may improve the area and increase property values. Commissioner Long said he's concerned about having a barn-like structure in a neighborhood but the conditions discussed would probably soften the structure. Commissioner Long asked if any neighbors have complained about the proposed building. Mr. Shivers said he only received a letter of support, which was distributed at the meeting.

Commissioner Leason is concerned about approving this building and improving the neighborhood and also turning down another property like on S. Emporia where the open lots aren't selling. Chairman Tetrick said the circumstances are different for every case. Mr. Shivers said they recently amended the ordinance to allow a path to administratively approve such structures up to 1,500 square feet, the most common SUP size requested. He said this building is still 1,100 feet larger than that new allowance.

Commissioner Long said they had opposition on S. Emporia, including Mr. Adlesperger that represented seven pieces of property next door, but said they don't have that opposition this time. Chairman Tetrick said they have a couple people in favor of it. Commissioner Leason said it sets a bad precedent to allow a building of this size in a neighborhood.

Chairman Tetrick asked if the SUP is not approved, does he have another plan, such as building homes on the lots. Mr. Ewart said he could have left the two homes there and built garages behind them, then tear down the houses and have his garages. Chairman Tetrick said he wasn't sure he could build garages then tear down the houses. Mr. Shivers said that is prohibited, with the only cases similar to that being when a catastrophic event happened, like a house burning down.

Commissioner Long asked about his property in the middle of the block. Mr. Shivers said part of it is an easement with a sewer line.

Mr. Ewart said he plans to install cameras and fencing and he's concerned with crime in the area.

Mr. Proctor shared his knowledge of the sewer line on Mr. Ewart's lot in the center of the block. Mr. Shivers said that lot was not buildable.

Commissioner Hackler said he's familiar with the area. He said anything done on these lots will be an improvement to the neighborhood. Anything that looks nice from the street will improve the area and maybe improve property values. Commissioner Hackler said he's not usually for people putting up airplane-hanger sized buildings in a neighborhood but he's leaning in favor because anything new will be a benefit to the neighborhood, and could lead to some more redevelopment.

Commissioner Watson asked Mr. Shivers how many notices were sent out. Mr. Shivers said he sent out around 40. He said the only response was a letter passed out to the Commission. Chairman Tetrick asked if there were objections for Mr. Ewart's last application. Mr. Shivers said he had a phone call and a walk-in that voiced their objections.

Chairman Tetrick said he thinks it will improve the neighborhood. It's a big building but will be set back off the road with improvements to keep it from standing out.

D) MOTION

Commissioner Stewart moved to recommend denial of the SUP application, seconded by Commissioner Leason.

Roll Call Vote

Commissioner Hackler	No
Commissioner Leason	Yes
Commissioner Long	No
Commissioner Stewart	Yes
Chairman Tetrick	No
Commissioner Watson	No

The motion to recommend denial failed (2-4).

Commissioner Long moved to approve the SUP with the discussed conditions of installing the privacy fence, wrought iron fence, trees and landscaping, and siding on the front of the building, seconded by Commissioner Hackler

Roll Call Vote

Commissioner Hackler	Yes
Commissioner Leason	No
Commissioner Long	Yes
Commissioner Stewart	No
Chairman Tetrick	Yes
Commissioner Watson	Yes

The motion passed by a split vote (4-2).

D) OLD BUSINESS

E) STAFF ITEMS

Mr. Shivers provided the following updates:

- The Brickley rezoning request was approved by City Commission.
- The zoning amendments were approved by the City Commission, staff will be updating the documents.
- Some member's terms will end at the end of April, will be contacted about renewals.
- Samuel McVay resigned his position. Staff received an application for his replacement. Now is a good time if the Commission knows of anyone interested in serving on the board to submit an application.
- A Board of Zoning Appeals representative will be appointed after next month once we know what openings the Board of Zoning Appeals will have (inside or outside of city limits).

F) ADJOURNMENT

The meeting was adjourned at 7:16pm.