



EL DORADO

THE FINE ART OF LIVING WELL

PLANNING COMMISSION MINUTES - DRAFT
September 24th, 2020
6:30p.m.

1. CALL TO ORDER & ROLL CALL

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

Members Present

Steve Fellers
Scott Hackler
Scott Leason
David Stewart
Kelly Tetrick
Gerald Watson

Staff Present

Jay Shivers

Others Present

Curtis Lill	1331 Lawndale Ave.
Steve Cope	3450 NE Parallel Rd.
Lynda Cope	3450 NE Parallel Rd.
Frank Hughes	93 NE Northcrest Rd.
Cindy Hughes	93 NE Northcrest Rd.
Roger Johnson	1402 W. Towanda Ave.
Kent Johnson	1845 Lawndale Ave.

2. APPROVAL OF MINUTES

Commissioner Stewart moved to approve the minutes of the August 27th, 2020, meeting, seconded by Commissioner Hackler. The motion passed unanimously (6-0).

3. NEW BUSINESS

ITEM NO. 1 – CASE NO. 20-03-REZ: PUBLIC HEARING FOR THE CONSIDERATION OF A REQUEST TO REZONE 737 N. GORDY STREET FROM R-1 LOW DENSITY RESIDENTIAL DISTRICT TO I-1 LIGHT INDUSTRIAL DISTRICT.

1. Presentation of Request

Jay Shivers reviewed the staff memo and said the application includes two lots: 737 N. Gordy is a city-owned property under contract with the applicant and the abutting lot to the south, owned by the applicant.

The applicant, Roger Johnson, said he purchased the southern lot at auction seven or eight years ago. He said they have rental properties in town and need storage space to maintain the rentals. He said they'd like to build an approximately 50 by 70 foot size building. He said the north lot is under contract and contingent on the rezoning.

Commissioner Fellers asked about buffer requirements. Mr. Shivers said an eight-foot privacy fence is most common and a landscaped berm or landscaped/tree screening is also allowed.

Commission Leason asked if they would store thrash or old refrigerators outside their shop. Mr. Johnson said they like a clean property and would likely only have a trailer or two outside the building.

Mr. Johnson said they would probably put an office and bathroom in the building so if they sell the property in the future another business could move in.

Commissioner Hackler asked about the space south of the lots. Mr. Shivers said that is railroad right-of-way.

2. Public Hearing

Chairman Tetrick opened the public hearing. There being no one to speak, the hearing was closed.

3. Discussion by Planning Commission

Commissioner Fellers said the eight foot fence is an important requirement. Chairman Tetrick said it is part of the regulations. Mr. Shivers said it is required and reviewed at the site plan level.

4. Motion

Commissioner Stewart moved to recommend approval of Case No. 20-03-REZ, an application by Silvergate Investments, to rezone 737 N. Gordy Street, from R-1 Low Density Residential District to I-1 Light Industrial District, for reasons stated in the staff recommendation and heard at this public hearing, seconded by Commissioner Hackler.

Roll Call Vote

Commissioner Fellers Y

Commissioner Hackler	Y
Commissioner Leason	Y
Commissioner Stewart	Y
Chairman Tetrick	Y
Commissioner Watson	Y

The motion to recommend approval passed unanimously (6-0)

ITEM NO. 2 – CASE NO. 20-07-SUP: PUBLIC HEARING FOR THE CONSIDERATION OF A REQUEST FOR A SPECIAL USE PERMIT TO ALLOW AN ACCESSORY APARTMENT AT 3551 SW PARALLEL STREET.

1. Presentation of Request

Mr. Shivers asked the Planning Commission to table this item. He said Mr. and Mrs. Titus submitted this application for a second home. Shortly after submitting the application, Mrs. Titus passed away. The application had her contact information on the form. Mr. Shivers said he has not been able to reach Mr. Titus to see if he still wants the Special Use Permit.

Commissioner Stewart moved to table item number two until the next appropriate meeting time, seconded by Commissioner Watson. The motion passed unanimously (6-0).

ITEM NO. 3 – CASE NO. 20-08-SUP: PUBLIC HEARING FOR THE CONSIDERATION OF A REQUEST FOR A SPECIAL USE PERMIT TO ALLOW A 2,400 SQUARE FOOT ACCESSORY STRUCTURE AT 1331 LAWDALE AVENUE.

1. Presentation of Request

Mr. Shivers reviewed the staff memo. He said Mr. Lill is proposing a 2,400 square foot accessory structure. Mr. Shivers said the structure is larger than all of the homes in the neighborhood. Mr. Shivers there is no recommendation for this case. There are reasons to support a recommendation to approve and deny.

Curtis Lill, applicant, asked if anyone had questions. Mr. Lill clarified some of the measurements. Mr. Lill said he has updated his site plan to use a smaller driveway. Mr. Lill said he is looking to semi-retire and the majority of the traffic he gets is for the glass side of his business. He's looking to use a small part of the building for upholstery work.

Mr. Shivers said when Mr. Lill first came in to talk about a building, they discussed the uses first. Mr. Shivers said staff met and determined this met the home occupation requirements.

Chairman Tetrick asked about the existing fence. Mr. Lill said he will install a cantilevered fence gate and building will be behind the fence. He said the building will match his house, white with black trim.

Chairman Tetrick asked if a letter was sent to the developer across the street. Mr. Lill said he talked to all of his neighbors, and if any objected he wouldn't do it.

2. Public Hearing

Chairman Tetrick opened the public hearing. There being no one to speak, the hearing was closed.

3. Discussion by Planning Commission

Commissioner Fellers asked about the setbacks. Mr. Shivers said it is a minimum 40 feet in the front, and the proposed building is about 50 feet from the front property line. Mr. Lill said about 60 feet measured from the curb.

Commissioner Leason asked how this is different from S. Emporia building and said he knows a resident that can see Mr. Lill's house and isn't happy about a big metal building going in. Mr. Shivers said every neighborhood and case is different.

Chairman Tetrick said he thought this is similar to the Denver Street SUP since it is in an established neighborhood surrounded by trees and houses.

The Planning Commission discussed the previous S. Emporia and N. Denver SUPs.

Commissioner Leason said he's not against metal buildings in neighborhoods, but to put one in larger than every other building in the neighborhood, he is against that.

Mr. Lill said he demolished a large two-story house on the property that the previous owners did not maintain.

Commissioner Hackler said he didn't think it would be much larger frontage than a two car garage and wouldn't stand out in the neighborhood.

The Planning Commission discussed home occupations and what can occur in the building.

Mr. Shivers said Mr. Lill can build as building as large as 1,500 square feet with a building permit approved administratively. The Planning Commission is considering the extra 900 square feet.

Commissioner Stewart asked if these are separate lots. Mr. Shivers said they are two platted lots and considered one zoning lot. Mr. Shivers said staff have considered other processes including requiring plats, which are costly, take time, and will come to the Planning Commission. Mr. Shivers said he is aware of one building that was separated illegally that has now been converted to a residence. The Planning Commission discussed the lot split process.

Commissioner Stewart asked about material compatibility on these buildings. Mr. Shivers said when they amended the accessory structure regulations, they allowed buildings up to 1,200 square feet or the gross floor area of the home, whichever is smaller. Mr. Shivers said they allow accessory structures 1,200 to 1,500 if the building is at least 60 feet from the front property line

and have matching building materials where it is visible from public property. Mr. Shivers said Mr. Lill is eligible for a 1,500 square foot building.

4. Motion

Commissioner Fellers moved to recommend approval of Case No. 20-08-SUP, a request by Amy and Curtis Lill, for a Special Use Permit to allow a 2,400 square foot accessory structure on the property located at 1331 Lawndale Avenue, for the reasons set forth in the staff recommendation and heard at this public hearing, seconded by Commissioner Hackler.

Roll Call Vote:

Commissioner Fellers	Y
Commissioner Hackler	Y
Commissioner Leason	N
Commissioner Stewart	N
Chairman Tetrick	N
Commissioner Watson	Y

The vote was a tie (3-3). The case moves to the City Commission with no recommendation.

4. OLD BUSINESS

5. STAFF ITEMS

Mr. Shivers said there are two applications pending and he is planning on an October meeting.

6. ADJOURNMENT

The meeting was adjourned at 7:10pm.