



**EL DORADO**

THE FINE ART OF LIVING WELL

**PLANNING COMMISSION MINUTES - DRAFT**  
**September 26<sup>th</sup>, 2019**  
**6:30 p.m.**

**1. CALL TO ORDER & ROLL CALL**

Members Present

Steve Fellers  
Brad Long  
Kyle McLaren  
David Stewart  
Kelly Tetrick  
Gerald Watson

Staff Present

Jay Shivers

Others Present

Tim Crockett	Crockett Engineering
Ron Volske	Orscheln Properties
Roger Cutsinger	Savoy Company
Kevin King	

**2. APPROVAL OF MINUTES**

Commissioner Long moved to approve the minutes of the July 25<sup>th</sup>, 2019, meeting, seconded by Commissioner McLaren. The motion passed (6-0).

**3. NEW BUSINESS**

Jay Shivers asked the Planning Commission to review Item No. 2 first.

**ITEM NO. 2 – CASE NO. 19-01-PLAT: CONSIDERATION OF THE PRELIMINARY PLAT OF CENTRAL AND SCHOOL ROAD COMMERCIAL ESTATES ADDITION.**

## 1. Presentation of Request

Jay Shivers said the plat created five new commercial lots, four new residential lots, and dedicates right-of-way for Second Avenue to connect to Northern Street and School Road. The applicant, Tim Crockett of Crockett Engineering Consultants, said they plan to develop one of the lots for an Orscheln Farm and Home store. The other lots will be for sale.

Commissioner Watson asked if they would sell the residential lots. Mr. Crockett said they would.

Commissioner Long asked who would pay for Second Avenue. Mr. Crockett said the cost is on the developer. Commissioner Long asked which lot will have the Orscheln store. Mr. Crockett referenced Block A, Lot 1 on the plat. Commissioner Long asked where the main entrance would be. Mr. Crockett said School Road. Commissioner Long asked if School Road needed any improvements. Mr. Shivers said it does not. Mr. Crockett said it is currently an improved road.

## 2. Discussion by Planning Commission

Commissioner Long asked if the plat is approved, when will they start construction. Mr. Crockett said once the preliminary plat is approved, they are authorized to begin the design phase for the property to submit grading, utility, site plans, etc. to the city. Mr. Crockett said they anticipate starting construction this fall.

## 3. Motion

Commissioner Long moved to approve the preliminary plat of the Central and School Road Commercial Estates Addition as presented, seconded by Commissioner McLaren.

### Roll Call Vote

Steve Fellers	Y
Brad Long	Y
Kyle McLaren	Y
David Stewart	Y
Kelly Tetrick	Y
Gerald Watson	Y

The motion passed (6-0).

## **ITEM NO. 1 – CASE NO. 19-06-SUP: PUBLIC HEARING FOR THE CONSIDERATION OF A REQUEST FOR A SPECIAL USE PERMIT TO ALLOW A VEHICLE STORAGE YARD AT 105 N. ARTHUR STREET.**

### 1. Presentation of Request

Mr. Shivers reviewed the information in the staff memo. Mr. Shivers said when residents have large car collections or enjoy working on automobiles in their spare time as a hobby, they need to generally be stored and maintained in a garage. However, when residents have too many, staff

recommend they find a small commercial or industrially-zoned property to store and work on their vehicle collection. Mr. Shivers said the property is overflowing with vehicles and is subject to a number of code violations and is why Mr. King is requesting the SUP. Mr. Shivers recommended a compromise, since the property is small and isn't located deep in a residential neighborhood but also not prime commercial real estate, with two conditions: (1) require the screening the applicant has offered and (2) limit the storage yard area to the paved area behind the screening. This would allow Mr. King to continue to use the property but also require some clean-up of the property. Mr. Shivers said Mr. King has other violations on the property and if the SUP is denied, he will have to clear out the parked vehicles on the property.

Mr. King said he thought it was commercial property when he leased the property to park his vehicles there and has since found that he cannot do that without a SUP. He said him and his friends work on the vehicles some evenings and weekends. He said he does not operate as a business, just what he enjoys doing. He has been working with code enforcement to fix the violations.

Chairman Tetrick asked if staff heard from the public. Mr. Shivers said he sent notices to property owners within 200 feet. He received no calls or letters. Mr. Shivers said he noticed there are a number of rental properties around the subject property and said many letters went to Wichita or other states and staff usually doesn't hear from those owners. Mr. Shivers said this all started when code enforcement received complaints about the property.

Commissioner McLaren asked what the property is zoned. Mr. Shivers said it is C-1 General Business, as well as property to the north and northwest, even though those property to the north and northwest are residential.

Chairman Tetrick asked what would happen if it turned into a business. Mr. Shivers said that what makes the property unique is its small size, the entire lot including building and parking are less than a quarter acre, or about the size of two residential lots combined. Mr. Shivers said it could be used as a business but most storage yard business will want larger lots and more space.

Commissioner Fellers asked if the use could continue if the property is sold. Mr. Shivers said if the use is discontinued for 12 months, the SUP sunsets.

Mr. King said he leases the property and would like to buy it if the SUP is approved. He said he leases it from Donna Naill. Commissioner Watson asked if he need permission. Mr. Shivers says he does, and that Ms. Naill has been out of state for a couple weeks. He said the case will not go to City Commission until that permission letter is received, but does expect to receive it soon.

Commissioner Fellers asked about the large RV, and if he'd have more large vehicles like that. Mr. King said only that one because they use it at the lake. Commissioner Fellers asked how close to the road it could be parked. Mr. Shivers said up the property line if it is an operational vehicle on commercial property with a paved surface.

Commissioner Long asked what portions are paved. Mr. King showed the Commission the rear area is gravel in front of a rear garage door. The Commission discussed the parking areas.

Commissioner Long asked what's in the building and how long he's leased it for. Mr. King said he has a couple cars he is rebuilding inside and a motorcycle, he's leased it for about a year and a half.

Commissioner Fellers asked if he does painting. Mr. King said he does not.

Commissioner McLaren asked what was on the property before Mr. King. Mr. King said a similar use, a plumbing business, and a church before that.

Commissioner Fellers asked if Hog Wild BBQ contacted staff. Mr. Shivers said they didn't, but his understanding is that some people that complained saw the property from their drive-through or parked in their parking lot. Commissioner Fellers asked how many vehicles he would store behind the proposed screening. Mr. King said eight or nine.

The Planning Commission discussed the screening condition.

## **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 he wants the eight foot fence so we don't set a precedent. Mr. Shivers said that every case is different and unique. Commissioner Fellers said he recommends an eight foot fence and doesn't want to see vehicles from Central Avenue.

## **4. Motion**

Commissioner Watson moved to recommend approval of Case No. 19-06-SUP, a request by Kevin King, for a Special Use Permit to allow a vehicle storage yard at 105 N. Arthur Street, with the following conditions:

- (1) Minimum six foot privacy fence
- (2) Limit vehicle storage to screened area

### Roll Call Vote

Steve Fellers	N
Brad Long	N
Kyle McLaren	Y
David Stewart	Y
Kelly Tetrick	Y
Gerald Watson	Y

The motion passes (4-2).

## **4. OLD BUSINESS**

**5. STAFF ITEMS**

Mr. Shivers said the Planning Commission will be reviewing a Planned Development for the Flint Creek project possibly as soon as October 8<sup>th</sup>.

**6. ADJOURNMENT**

The meeting adjourned at 7:22pm.