

PLANNING COMMISSION MINUTES
December 18, 2014
6:30 p.m.

1. CALL TO ORDER

Chairman Britain called the December 18th, 2014, Planning Commission to order at 6:30pm.

MEMBERS PRESENT:

Fred Britain
Scott Leason
Gregg Lewis
Brad Long
Van Pooler
Allen Potter
Gerald Watson

MEMBERS ABSENT:

Steve Funk
Kyle McLaren

STAFF PRESENT:

Scott Rickard, Assistant City Engineer
Jay Shivers, City Planner

OTHERS PRESENT:

Colin Rowell
Rodney Norris
Vern Boyce

2. APPROVAL OF MINUTES

Commissioner Pooler requested that staff include additional information regarding the legal ramifications facing the oil drilling company in September 25, 2014, minutes. Commissioner Lewis made a motion to approve the minutes the September 25, 2014, Planning Commission meeting, seconded by Commissioner Potter. The motion passed unanimously (7-0).

3. NEW BUSINESS

ITEM NO. 1 – CASE NO. 14-013-SUP: PUBLIC HEARING FOR THE CONSIDERATION OF A REQUEST FOR A SPECIAL USE PERMIT TO ALLOW A DIGITAL VIDEO SIGN IN A C-2 ZONE LOCATED AT 301 N MAIN STREET.

A) PRESENTATION OF REQUEST

Vern Boyce, representing Missouri Neon Sign Company, presented the sign request to the Commission and explained that sign has the capability to display videos though the intent is to only display static images. Mr. Boyce conveyed to the Commission that Community National Bank is also interested in displaying community messages in addition to bank advertisements. He also explained that the purpose of the LED sign is to display images and messages in high-definition. Mr. Boyce stated that signs with video and animation have their place; however, he acknowledged that historic downtown areas are better suited for static advertising. Mr. Boyce also explained that downtowns have historically adopted newer technologies, such as neon signs, incandescent lighting, and LED technology.

Colin Rowell, representing Community National Bank, explained that they built a new bank in the historic district in Newton with an LED video display sign. He stated that the time and temp sign is a technology that is no longer supported and has malfunctioned from time to time. Mr. Rowell continued to explain that they have banks in a number of other historic districts within Kansas. He also noted the surrounding buildings, such as the bank across the street and YMCA, are not historic designs.

B) PUBLIC HEARING

Rodney Norris, 323.5 N. Main Street, currently resides to the north of the bank and was initially concerned with the size, location, and brightness. He stated that he is not concerned with the brightness of the sign and noted that he expected it to be a similar brightness to the street lights. He also stated that due to the sign remaining in the same location and roughly the same size that he did not have any objections to the sign. Mr. Norris also commented that the new sign would be an improvement to the bank's overall sign and the downtown area.

Chairman Britain asked Scott Rickard if El Dorado Main Street made a recommendation on the sign. Mr. Rickard replied that he had received a response from Dan Wilson, member of the Architectural Committee for El Dorado Main Street. Mr. Wilson's correspondence stated that the organization's preference is to not approve the sign in the downtown historic district and that approving the sign could lead to more digital video signs along Main Street in the future. It also stated that it is not the look and direction that El Dorado Main Street envisions for the downtown area.

Commissioner Pooler asked if the sign would operate 24 hours a day. Mr. Rickard replied that, if approved, the Community National Bank will have to apply for a sign permit. He also explained that the Sign Ordinance regulates brightness to 7,500 NITS during the day and 1,000 at night. Mr. Boyce commented that the sign will have an automatic dimming control that dims the sign when the sun goes down.

C) DISCUSSION BY PLANNING COMMISSIONERS

Commissioner Long inquired about the direction of signage on Main Street. Mr. Rickard replied that the City has received a lot of feedback on existing Digital Video Signs and that it will likely lead to a discussion about limiting them in the future. Commissioner Potter asked if current signs would be grandfathered if the signs are banned in the future. Mr. Rickard replied that they will

likely be grandfathered but it would be discussed by Staff and the Planning Commission in the future.

Commissioner Lewis expressed concern that if the permit is denied, the bank may relocate out of the downtown area.

D) MOTION

Commissioner Lewis moved that Case No. 14-013-SUP, a request by Community National Bank for a Special Use Permit to allow a Digital Video Sign in a C-2 zone located at 301 N. Main Street, be approved with the condition that the sign does not display video. Commissioner Potter seconded the motion.

Roll Call Vote

Fred Britain	Yes
Van Pooler	Yes
Scott Leason	Yes
Gregg Lewis	Yes
Brad Long	No
Allen Potter	Yes
Gerald Watson	Yes

Motion Passed 6-1

4. **OLD BUSINESS**

None

5. **STAFF ITEMS**

The Planning Commission welcomed the new City Planner, Jay Shivers. Mr. Rickard also stated that Staff will be distributing the new Capital Improvement Plan for the Commission to review and discuss over the next couple meetings.

6. **ADJOURNMENT**

Commissioner Long moved to adjourn the meeting, seconded by Commissioner Lewis. The meeting was adjourned at 7:26pm.