

EL DORADO

K A N S A S

PLANNING COMMISSION AGENDA

September 28, 2023

5:30 PM

1. CALL TO ORDER & ROLL CALL

Steve Fellers
Lawrence Fischetti
Scott Hackler
Debbra LaForge
Scott Leason
Brad Long
Austin Letts
Gerald Watson

2. APPROVAL OF MINUTES

1 - 8/24/23 MINUTES

3. NEW BUSINESS

ITEM NO. 1 - ITEM NO. 1 – CASE NO. 23-04-REZ: PUBLIC HEARING FOR THE CONSIDERATION OF A REQUEST TO REZONE LOTS 12 AND 13, BLOCK 1 & LOTS 12, 13 AND 14, BLOCK 3 EL DORADO BUSINESS PARK FROM I-1 LIGHT INDUSTRIAL DISTRICT TO R-1 RESIDENTIAL LOW DENSITY DISTRICT.

- A. Presentation of Request
- B. Public Hearing
- C. Discussion by Planning Commission
- D. Motion

4. OLD BUSINESS

ITEM NO. 1 - PUBLIC HEARING-TO CONSIDER AMENDING THE SIGN REGULATIONS IN ARTICLE 8 OF THE CITY OF EL DORADO ZONING REGULATIONS

- A. Presentation of Request
- B. Public Hearing
- C. Discussion by Planning Commission
- D. Motion

5. STAFF ITEMS

1 - APPOINT EXCESS SALES TAX ADVISORY COMMITTEE MEMBER

2 - NEXT MEETING 10/26/23

6. ADJOURNMENT

EL DORADO

K A N S A S

PLANNING COMMISSION MINUTES - **DRAFT**

August 24, 2023

5:30p.m.

1. CALL TO ORDER & ROLL CALL

Chairman Hughes called the meeting to order at 5:30pm.

Members Present

Steve Fellers

Lawrence Fischetti

Scott Hackler

Scott Leason

Austin Letts

Brad Long

Others Present

Roger Cutsinger

Joel Fox

Emily Connell

Brad Meyer

2. APPROVAL OF MINUTES

Commissioner Long moved to approve the minutes of the June 22, 2023, Planning Commission meeting, seconded by Commissioner Leason. The motion passed (6-0).

3. NEW BUSINESS

ITEM NO. 1 – CASE NO. 23-06-SUP: PUBLIC HEARING FOR THE CONSIDERATION OF A REQUEST FOR A SPECIAL USE PERMIT FOR A MICRO DISTILLERY AT 703 S MAIN.

A. Presentation of Request

Scott Rickard provided an overview of the request by Joel Fox for a micro-distillery in a C-1 zoning district. Joel Fox, owner, gave a brief presentation of the proposed micro-distillery.

B. Public Hearing

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

C. Discussion by Planning Commission

Commissioner Fellers & Commissioner Long stated they have no issue with the micro-distillery. Commissioner Fischetti asked about loading and unloading of any trucks. Mr. Fox stated they would use the west garage door and would only partially block the street or they could also use the alley. The trucks would only be present every other week at the beginning. Mr. Fox stated they plan to distill whiskey, rum and eventually aged spirits. Commissioner Letts inquired if they have any distributors yet. Mr. Fox has been in contact with Demo and LDF.

D. Motion

Commissioner Fellers moved to recommend approval of Case No. 23-06-SUP, an application for a special use permit to allow a micro-distillery at 703 S Main St. for the reasons stated in the staff recommendation and heard at this public hearing, seconded by Commissioner Letts.

Roll Call Vote:

Steve Fellers	Y
Lawrence Fischetti	Y
Scott Hackler	Y
Scott Leason	Y
Austin Letts	Y
Brad Long	Y

The motion passed (6-0). Mr. Rickard stated the application would go to the September 18th City Commission meeting.

ITEM NO. 2 – CASE NO. 23-02-PLAT: CONSIDERATION OF THE FINAL PLATS OF MOORE ADDITION AND MOORE NORTH ADDITION.

A. Presentation of Request

Scott Rickard presented the request of the plats. The commission has previously discussed the property when it was rezoned to residential suburban. The final plats meets the requirements found in the Zoning Ordinance and Subdivision Regulations.

B. Discussion by Planning Commission

Commissioner Hackler asked if anyone had any comments since the property had a case presented at a previous meeting. No discussion pursued and a motion was requested.

C. Motion

Commissioner Long moved to recommend approval of the final plat for the Moore Addition and the Moore North Addition as presented, seconded by Commissioner Leason.

Roll Call Vote:

Steve Fellers	Y
Lawrence Fischetti	Y
Scott Hackler	Y
Scott Leason	Y
Austin Letts	Y
Brad Long	Y

The motion passed (6-0).

ITEM NO. 3 – CASE NO. 23-03-PLAT: CONSIDERATION OF A REPLAT IN RIVERSIDE ADDITION.

A. Presentation of Request

Scott Rickard presented the Replat of an existing lot in Riverside Addition at the intersection of 10th and Walnut. The replat will create three buildable residential lots. Roger Cutsinger with BHS stated the lots will be 5,000SF each. Mr. Rickard stated there are no new right of way or easements to consider and the replat meets requirements found in the Zoning Ordinance and Subdivision Regulations.

B. Discussion by Planning Commission

Commissioner Long inquired about the railroad property. Mr. Rickard verified it would not cause any building issues.

C. Motion

Commissioner Leason moved to recommend approval the replat of Lots 26 & 28, Block 13 Riverside Addition as presented, seconded by Commissioner Long.

Roll Call Vote:

Steve Fellers	Y
Lawrence Fischetti	Y
Scott Hackler	Y
Scott Leason	Y
Austin Letts	Y
Brad Long	Y

The motion passed (6-0).

4. OLD BUSINESS

Scott Rickard presented conceptual sign regulations for the commission to consider. The Planning Commissioners discussed the conceptual regulations, the enforcement of the regulations and the steps necessary for any changes.

Emily Connell with El Dorado Main Street suggested that signs are considered by each instance and to give resources & advice to the property owners.

Brad Meyer with On the Edge detail shop located on 6th Ave. would like the definition of temporary further defined by temporary construction or temporary in time.

Commissioner Letts moved to set a public hearing for September 28, 2023 to consider amending the sign regulations in Article 8 of the Zoning Regulations, seconded by Commissioner Leason.

The motion passed (6-0).

5. STAFF ITEMS

Chairman Election:

The previous chairman resigned his position and the commission voted for Commissioner Hackler to be the Chairman. Commissioner Leason was nominated as the Vice Chairman.

Mr. Rickard stated at the October meeting, the commission will discuss the Transportation Master Plan.

6. ADJOURNMENT

The meeting was adjourned at 6:53pm.

PLANNING COMMISSION MEMORANDUM

TO: Planning Commission
CC:
FROM: Scott Rickard
RE:

Kevin Brownlee has submitted a rezoning application to rezone 5 lots in the El Dorado Business Park from I-1 Light Industrial District to R-1 Low-Density Dwelling District. R-1 allows single-family residential by-right and schools and public assembly use with a Special Use Permit.

The regulations state the Planning Commission shall make findings of fact to determine whether the application is found to be compatible with the following:

Character of the neighborhood.

The character of the neighborhood surrounding the proposed rezoning is vacant land and is zoned I-1. To the south and west, the zoning consists of A-R (Agricultural-Residential).

Consistency with the Comprehensive Plan and ordinances of the City of El Dorado.

The Future Land Use Map (FLUM) designates the subject property as Industrial Mixed Use, defined as a mix of heavy/light industrial land uses and other land uses that generally support nearby development, such as warehousing, storage, commercial, restaurants, and offices. This serves as a transition between industrial land uses and less intense land uses. The proposed R-1 Low-Density Dwelling District does not conform to this long-term vision outlined in the Comprehensive Plan.

Adequacy of public utilities and other needed public services.

City water is currently available to the property. However, in the absence of a direct connection to the City's sanitary sewer system, a proposed home would initially rely on a private sewer treatment system. Road access to these lots would be provided via Towanda Ave.

It's important to note that when development occurs nearby, sewer mains will be extended to the area, and at that time, the property owner will be required to connect to the City's sanitary sewer system and abandon their private system. This approach aligns with best practices in infrastructure planning, ensuring gradual extension of public utilities to accommodate new developments as the area grows and evolves.

Suitability of the uses to which the property has been restricted under its existing zoning.

Under its existing I-1 Light Industrial District zoning, the property is generally restricted to industrial uses that are not obnoxious in appearance, noise, emissions, or odor. It must also be compatible with adjacent districts through site plan review. These restrictions have historically ensured that industrial activities in the area are conducted in a manner that respects neighboring properties, aligning with zoning best practices.

Length of time property has remained vacant as zoned.

The length of time the property has remained vacant as zoned is not applicable.

Compatibility of the proposed district classification with nearby properties.

A few single-family residential properties are located to the south of the proposed rezoning area, albeit outside the City limits. The compatibility of the proposed R-1 Low-Density Dwelling District with

these existing residential properties needs to be carefully considered. Best practices in zoning encourage compatibility between land uses to maintain a harmonious neighborhood environment.

Furthermore, it's important to note that today, a natural buffer exists between the potential rezoned property in question and the remaining I-1 property to the North, which is still owned by the City of El Dorado. This buffer consists of a hedge row and drainage swale along the north property line, extending from west to east.

To enhance compatibility and preserve this buffer, a possible condition to the rezoning could be that the natural buffer remains in place, along with the condition of platting. This would ensure that the existing features contributing to the compatibility and separation between land uses are retained, aligning with best practices in zoning and fostering a seamless transition between the R-1 Low-Density Dwelling District and the adjacent I-1 property owned by the City.

The extent to which the zoning amendment may detrimentally affect nearby properties.

Additional single-family residential development is not expected to detrimentally affect neighboring properties, considering the sparse residential-agricultural land use to the south of the area and the condition of the natural buffer. Zoning decisions should aim to minimize negative impacts on nearby properties, and in this case, best practices suggest that the rezoning may not have a detrimental effect.

Whether the proposed amendment provides a disproportionately great loss to the individual land owners nearby relative to the public gain.

Staff does not anticipate a disproportionately great loss to nearby landowners due to the proposed rezoning.

In conclusion, this memorandum addresses key factors in evaluating the rezoning application, highlighting their importance in accordance with best practices and El Dorado's zoning practices. The Planning Commission's decision should carefully consider these factors when determining the suitability of the proposed rezoning.

Adoption of this amendment requires a majority vote of the Planning Commission members present and voting.

Motions:

To approve:

I move to recommend approval of Case No. 23-04-REZ, an application by Kevin Brownlee to rezone Lots 12 and 13, Block 1 & Lots 12, 13 & 14, Block 3, El Dorado Business Park from I-1 Light Industrial District to R-1 Low Density Residential District,

To approve with conditions: the Planning Commission can add to the motion with the following conditions:

1. The rezoned property must be replatted to align with the new R-1 Low-Density Residential District zoning designation.
2. The natural buffer consisting of the hedge row and drainage swale along the north property line shall remain in place, and the possibility of expanding this buffer should be explored during the planning process to enhance compatibility with adjacent land uses.

Adoption of this amendment, with the specified conditions, requires a majority vote of the Planning Commission members present and voting.

To deny:

I move to recommend denial of Case No. 23-04-REZ, an application by Kevin Brownlee to rezone Lots 12 and 13, Block 1 & Lots 12, 13 & 14, Block 3, El Dorado Business Park from I-1 Light Industrial District to R-1 Low Density Residential District.

Legend



City limits



Zoning 2023

<all other values>

Zone

A-R

C-1

C-2

I-1

I-2

M-P

O-I

R-1

R-2

R-3

R-S

ETJ District

<all other values>

ZONE

A-R

C-1

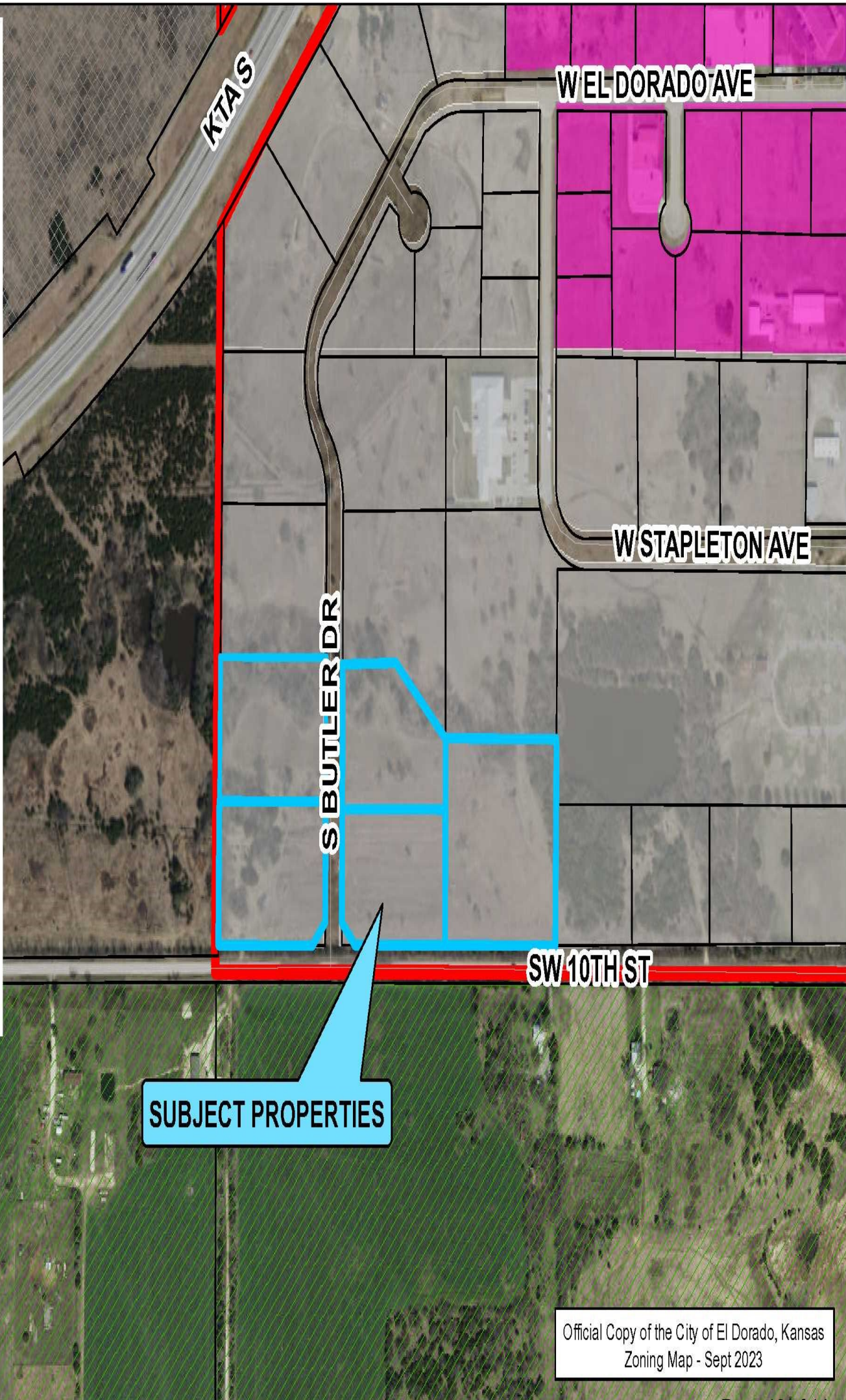
I-1

M-P

R-3

R-1

R-S



SUBJECT PROPERTIES

PLANNING COMMISSION MEMORANDUM

TO: Planning Commission
CC:
FROM: Scott Rickard
RE:

PLANNING COMMISSION MEMO

TO: Planning Commission
FROM: Scott Rickard, Engineering Director
RE: Temporary Signs

Conceptual Temporary Sign Regulations:

ARTICLE 8 – TEMPORARY SIGN REGULATIONS

Intent and Purpose: The purpose of these temporary sign regulations is to establish guidelines for temporary signs within the City of El Dorado, allowing for clearer definitions and extending the permissible duration of temporary sign placement to 90 calendar days. Temporary signs are used for advertising special events and businesses, and such signs are to be placed on the property where the event is taking place or on the business's property.

Applicability: Temporary signs are subject to the regulations outlined in this article. Temporary signs, as defined below, shall be erected and maintained in compliance with these guidelines.

Temporary Sign Definition: Temporary signs are defined as display signs that are intended for short-term placement and are not of a permanent nature. Such signs include event signs, temporary advertising signs, and signs for advertising for special events.

Permitted Temporary Sign Types and Specifications:

A. Temporary Event Signs:

(1) **Event Signs:** Temporary signs advertising special events, community activities, or promotions. The following specifications apply:

- **Maximum Area:** Event signs shall not exceed thirty-two (32) square feet in area.
- **Permitted Duration:** Event signs may be displayed on the property of the event for a period of up to 7 calendar days prior to the event.
- **Removal:** Event signs shall be removed within 48 hours after the event concludes.

B. Business Advertising Signs:

(1) **Banners and Flags:** Temporary banners and flags used for event promotion or advertising. The following specifications apply:

- **Maximum Signs:** Banners and flags shall not exceed 2 per property.
- **Permitted Duration:** Banners and flags may be displayed for a period of up to 90 calendar days per year from the date of installation.
- **Height restriction** is 15 foot

(2) Inflatable Advertising: Inflatable signs or figures used for advertising or to draw attention. The following specifications apply:

- Maximum 1 per property and it shall not affect any required parking or specific zoning requirement of the lots.
- Permitted Duration: Inflatable advertising may be displayed for a period of up to 14 calendar days per year from the date of installation.
- Height restriction is 20 foot

(3) Small Signs: Small signs used for advertising an event or to customers

- Maximum Area: Small signs shall not exceed three (3) square feet in area
- Maximum Signs: Small signs shall not exceed 2 per property
- Permitted Duration: Small signs may be displayed for a period of up to 90 calendar days per year from the date of installation.

(4) Vinyl Signs: Vinyl signs or similar type material with printed advertising mounted on T-posts or lumber. The following specifications apply:

- Maximum Quantity: 1 Vinyl Sign per property.
- Maximum Area: Vinyl signs shall not exceed thirty-two (32) square feet in area.
- Permitted Duration: Vinyl Type signs on non-permanent surfaces may be displayed for a period of up to 90 calendar days per year from the date of installation.

(5) Temporary Portable Display Signs:

- Maximum Quantity: 1 Temporary Portable Display Sign per property
- Maximum Area: Portable Display signs shall not exceed thirty-two (32) square feet in area.
- Permitted Duration: Portable display signs may be placed for up to 90 calendar days per year from the date of installation.
- Portable displays signs not exceeding 10 square foot of advertising per side shall be allowed on the sidewalk in C-2 zoning district up to 90 calendar days per year.

Temporary Sign Location: Temporary signs shall be located in a manner that does not obstruct access ways, sidewalks, windows, sight triangles, or traffic visibility. Signs shall only be placed on the property where the service, business, or event is taking place. Signs shall not be placed on public property, trees, utility poles, or public right-of-way. Signs shall not be placed in required parking or impact specific zoning requirements of the lots.

Temporary Sign Illumination: Temporary signs shall not be illuminated, except for portable display signs.

Removal of Temporary Signs: Temporary signs shall be removed by the owner or permittee within the specified timeframes outlined in the regulations. Failure to remove the sign within these periods may result in its removal and enforcement.

Exemptions and Exclusions: Construction, Political, Real Estate, and City of El Dorado uses.

Permit Required for Temporary Advertising Signs: A permit is required for the installation of temporary advertising signs. The permit fee is \$10 for each 90 calendar-day period.

Enforcement and Maintenance: Temporary signs shall be maintained in compliance with the regulations and design standards in this article. If a temporary sign is found to be unsafe, insecure, tattered, torn, in disrepair, or in violation of these guidelines, Code Enforcement may take necessary actions for removal or alteration, as specified in the general sign regulations.