

EL DORADO

K A N S A S

PLANNING COMMISSION AGENDA

October 26, 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 - 9-28-23 MINUTES

3. NEW BUSINESS

ITEM NO. 1 - PRESENTATION OF TRANSPORTATION MASTER PLAN

ITEM NO. 2 - CASE NO. 23-07-SUP: PUBLIC HEARING FOR THE CONSIDERATION OF A REQUEST FOR A SPECIAL USE PERMIT TO ALLOW A DIGITAL VIDEO SIGN AT 210 E 2ND AVENUE.

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

ITEM NO. 3 - CASE NO. 23-05-REZ: PUBLIC HEARING FOR THE CONSIDERATION OF A REQUEST TO REZONE 1126, 1128 AND 1204 W 6TH AVENUE FROM R-3 MULTIPLE-FAMILY DWELLING DISTRICT TO C-1 GENERAL BUSINESS DISTRICT.

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

4. OLD BUSINESS

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

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

5. STAFF ITEMS

1 - NEXT MEETING 11-16-23
SPECIAL USE PERMIT-TRANSITIONAL HOUSING 424 W CENTRAL

6. ADJOURNMENT

EL DORADO

K A N S A S

PLANNING COMMISSION MINUTES - **DRAFT**

September 28, 2023

5:30p.m.

1. CALL TO ORDER & ROLL CALL

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

Members Present

Steve Fellers

Debbra LaForge

Scott Leason

Austin Letts

Brad Long

Gerald Watson

Others Present

Kevin Brownlee

Susan Williams

Clinton Williams

Phil Benedict

Brad Meyer

2. APPROVAL OF MINUTES

Commissioner Long moved to approve the minutes of the August 24, 2023, Planning Commission meeting, seconded by Commissioner Letts. The motion passed (6-0).

3. NEW BUSINESS

ITEM NO. 1 – CASE NO. 23-04-REZ: PUBLIC HEARING FOR THE CONSIDERATION OF A REQUEST TO REZONE LOTS 12 & 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

Scott Rickard provided an overview of the request by Kevin Brownlee to rezone Lots 12 & 13, Block 1, and Lots 12, 13, & 14, Block 3 of the El Dorado Business Park to an R-1 Residential Low-Density Zoning District.

Kevin Brownlee, the applicant, stated he has plans to build a single-family home, he will replat the lots into one parcel and will be keeping the existing buffer. Mr. Brownlee also mentioned that the City waived their first right of refusal to repurchase the property.

B. Public Hearing

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

C. Discussion by Planning Commission

Commissioner Fellers inquired why the land was valuable enough for the city to purchase years ago and now they declined the opportunity to repurchase it.

Mr. Rickard stated that the future land use shows an industrial mixed-use, however, there are residences currently along Towanda Ave.

D. Motion

Commissioner Letts moved to recommend approval of Case No. 23-04-REZ, an application by Kevin Brownlee to rezone Lots 12 and 13, Block 1 and Lots 12, 13, and 14, Block 3, El Dorado Business Park from I-1 Light Industrial District to R-1 Low-Density Residential District with the conditions that the rezoned property must be replatted to align with the R-1 Low-Density Residential District zoning designation and 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, seconded by Commissioner Long.

Roll Call Vote:

Steve Fellers	Y
Debbra LaForge	Y
Scott Leason	Y
Austin Letts	Y
Brad Long	Y
Gerald Watson	Y

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

4. OLD BUSINESS

Scott Rickard presented conceptual temporary 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.

A. Public Hearing

Brad Meyer with On the Edge detail shop located at 623 State St. inquired if the new regulations will be 90 consecutive days or 90 calendar days and he asked why the City cares how businesses choose to advertise. Mr Meyer stated if aesthetics is what is important then address that concern and let businesses have the signs. Mr. Meyer thinks enforcement will be a nightmare and the city would have to provide daily documentation showing that a sign is over the days allowed if a time frame is imposed. Mr. Meyer also inquired why permanent signs that need to be replaced are not being addressed and he thinks certain areas in town might require different rules for the temporary signs.

Commissioner Fellers believes the historic downtown should have different rules.

Phil Benedict, Executive Director of the Chamber, has had Chamber members complain about the sign regulations and did notify them of this public forum, but no one showed up to voice their concerns. Mr. Benedict believes the city needs to remain business-friendly, and temporary signs help small businesses get started.

B. Discussion by Planning Commission

Commissioner Fellers believes a change in the ordinance should be if the temporary sign looks neat and clean then it should be allowed with no permit unless it is in the historic downtown district.

Mr. Rickard stated that sign regulations are geared toward permanent signs and temporary signs are used to promote special things. Mr. Rickard also said if the desire is to add the definition on the condition of a temporary sign or that they are only allowed in certain zones that can be achieved by amending regulations.

Commissioner LaForge asked who decides if signs are nice or tacky.

Mr. Rickard confirmed it would be the code enforcement department.

Commissioner Long noted that the number of signs per lot is enforceable more so than the look or condition of a sign.

Commissioner Watson commented that the look of a sign is in the eye of the beholder.

The commissioners agree with the conceptual temporary sign regulations that were presented but would like to change the length of time allowed, including appearance and maintenance, and keep how many signs are allowed in the different zoning districts.

Mr. Rickard suggested the regulations be more objective and more clearly defined, less cumbersome permitting to make enforcement easier and to allow staff to redraft the ordinance with everything presented and continue the public hearing at the October meeting.

C. Motion

Commissioner Letts moved to table the public hearing on temporary signs and to continue on October 26, 2023, to consider amending the sign regulations in Article 8 of the Zoning Regulations, seconded by Commissioner Long.

The motion passed (6-0)

5. STAFF ITEMS

Commissioner LaForge was appointed to the Excess Sales Tax Advisory Committee.

Mr. Rickard mentioned the items that will be discussed at the October meeting:

- Presentation of the Transportation Master Plan

- Special Use Permit for a Digital Video Sign at the Senior Center

- Rezone Application from R-3 to C-1 at 1126, 1128 & 1204 W 6th

- And the continuation of the public hearing for the temporary sign regulation amendments

6. ADJOURNMENT

The meeting was adjourned at 6:32pm.

PLANNING COMMISSION MEMORANDUM

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

An overview of the Transportation Master Plan will be presented by the consulting firm JEO.

PLANNING COMMISSION MEMORANDUM

TO: Planning Commission
CC:
FROM: Scott Rickard
RE: Special Use Permit - 210 E 2nd Ave.

El Dorado Senior Center, the applicant, is requesting a Special Use Permit to allow a digital video sign in an O-I Business-Office Institutional District. The proposed sign will utilize the existing sign's brick base by replacing the current sign with a new LED digital video sign.

The standards that must be met and staff recommendations are as follows:

- A. ***The location and size of the proposed use in relation to the site and to adjacent sites and uses of the property, and the nature and intensity of operations proposed thereon.*** This zoning is I-1 to the north and east, O-1 to the south, and C-2 to the west. The applicant is interested in modifying an existing sign to accommodate a new LED digital video sign. The proposed digital video sign measures 69" x 36".
- B. ***Accessibility of the property to police, fire, refuse collection and other municipal services; adequacy of ingress and egress to and within the site; traffic flow and control; and the adequacy of off-street parking and loading areas.*** The site is accessible to all municipal services.
- C. ***Utilities and services, including water, sewer, drainage, gas, and electricity, with particular reference to location, availability, capacity and compatibility.*** The proposed sign will be located on the existing brick sign base. Adjacent utilities and services will not be impacted.
- D. ***The location, nature, and height of structures, walls, fences, and other improvements; their relation to adjacent property and uses; and the need for buffering or screening.*** No buffering or screening is required.
- E. ***The adequacy of required yard and open space requirements and sign provisions.*** The sign meets the requirements found in Article 8 – Sign Regulations.
- F. ***The general compatibility with adjacent properties, other properties in the district, and the general safety, health, comfort and general welfare of the community.*** The proposed sign is located along Vine Street. The area currently utilizes a number of sign styles, such as monument signs, awning/canopy signs, wall signs, and window signs.

Staff recommends approval of the requested Special Use Permit. Digital video signs are allowed by right in several other commercial and industrial zoning districts, including I-1, I-2, and C-1. Digital video signs are allowed in O-I zoning districts only by approval of a Special Use Permit.

A representative from the El Dorado Senior Center will be present at the meeting to answer any questions. Enclosed in your packets is a sign exhibit for the proposed Special Use Permit.

Approval of this Special Use Permit requires a majority vote of the Planning Commission members present and voting. The City Commission will review this case on October 16th.

Suggested Motion:

I move that Case No. 23-017-SUP, a request by El Dorado Senior Center, Inc., for a Special Use Permit to allow a digital video sign on the property located at 210 E 2nd, be approved for the reasons set forth in the staff recommendation and heard at this public meeting.



PLANNING COMMISSION MEMORANDUM

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

Michael Dorrell has submitted a rezoning application to rezone 3 lots at 1126, 1128, and 1204 W 6th Ave. from R-3 Multiple Family Dwelling District to C-1 General Business District. The applicant is requesting C-1 to construct a storage building for personal use. C-1 is for commercial uses which are intensive in nature, and which require large lots and direct access to major streets.

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 I-1 to the west and M-P Manufactured Home Park to the north and east. The south zoning consists of R-1.

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

The Future Land Use Map (FLUM) designates the subject property as Commercial, defined as commercial, retail, restaurant, and professional office land uses that serve the needs of the community as a whole & and perhaps a larger region. The proposed C-1 General Business District does conform to this long-term vision outlined in the Comprehensive Plan.

Adequacy of public utilities and other needed public services.

The site is accessible to all municipal services.

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

Under its existing R-3 Multiple Family Dwelling District zoning, the property is intended for the purpose of allowing high residential density land use with the co-mingling of compatible single-family and two-family dwellings, apartments, home occupations, community facilities, and certain uses, yet retain the basic residential quality.

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.

The proposed zoning is consistent with the current mix of commercial, residential, and industrial uses in the area. If approved, the applicant will be required to install screening along the portions of the property abutting residential.

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

Staff does not anticipate additional detrimental effects on adjacent properties.

Whether the proposed amendment provides a disproportionately great loss to the individual landowners 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.

Motion:

To approve:

I move to recommend approval of Case No. 23-05-REZ, an application by Michael Dorrell 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

- 200 Buffer
- Subject Properties
- 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



W 6TH AVE

SUBJECT PROPERTIES

N WEST CT

200' Buffer

N EAST CT

N SUMMIT ST

W 5TH AVE

PLANNING COMMISSION MEMORANDUM

TO: Planning Commission
CC:
FROM:
RE:

PLANNING COMMISSION MEMO

TO: Planning Commission
FROM: Scott Rickard, Engineering Director
RE: Temporary Signs
Date: 10/19/23

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. 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:

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.
- **Two (2) per property.**
- **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:

Temporary Signs used as business advertising regardless of type, shall be limited to the following:

- Two (2) per property in C-1, O-I, I-1 and I-2 zoning district.
- One (1) per property in C-2 zoning district.

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.
- Height restriction is 15 feet.
- Not allowed in C-2 zoning district.

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 feet.
- Permit Required for Inflatable Signs: A permit is required for the installation of an inflatable sign. The permit fee is \$10.
- Not allowed in C-2 zoning district.

Small Signs: Small signs used for advertising or an event:

- Maximum Area: Small signs shall not exceed four (4) square feet in area.
- Maximum Signs: Small signs shall not exceed 2 per property.

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.

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.
- Portable display signs not exceeding 12 square feet of advertising per side shall be allowed on the sidewalk in C-2 zoning district.

Temporary Sign Location: Temporary signs shall be located in a manner that does not obstruct accessways, 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.

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.