

EL DORADO

K A N S A S

PLANNING COMMISSION AGENDA

March 28, 2024

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 - APPROVE MINUTES 2/29/24

3. NEW BUSINESS

ITEM NO. 1 - REZONE 200 N STAR

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

4. OLD BUSINESS

5. STAFF ITEMS

1 - NEXT MEETING 4/25/24

**PUBLIC HEARING TO REZONE APPROXIMATELY 78ACRES ON W TOWANDA
AVE. FROM A-R TO R-3 PREVIOUSLY APPROVED 2/22/24**

6. ADJOURNMENT

EL DORADO

KANSAS

PLANNING COMMISSION MINUTES - **DRAFT**

February 29, 2024

5:30 p.m.

1. CALL TO ORDER & ROLL CALL

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

Members Present

LJ Fischetti
Scott Hackler
Scott Leason
Austin Letts
Gerald Watson

Others Present

Roger Cutsinger

2. APPROVAL OF MINUTES

Commissioner Letts moved to approve the minutes of December 21, 2023, seconded by Commissioner Watson. The motion passed (5-0).

3. NEW BUSINESS

ITEM NO. 1 – CASE NO. 24-01-REZ: PUBLIC HEARING FOR THE CONSIDERATION OF A REQUEST TO REZONE APPROXIMATELY 33 ACRES ALONG SW 10TH STREET FROM A-R (AGRICULTURAL RESIDENTIAL DISTRICT TO R-S (RESIDENTIAL SUBURBAN DISTRICT).

A. Presentation of Request

Scott Rickard provided an overview of the rezoning request. Wade Wilkinson has applied for rezoning from A-R Agricultural Residential to R-S Residential Suburban District on approximately 33 acres on the north side of SW 10th St & Purity Springs Dr. The property will be platted into five lots for single-family homes.

This property is located outside city limits but within the El Dorado Extraterritorial Jurisdiction (ETJ). The Butler County Commission recommended approval of the request at their meeting on February 20th, 2024.

B. Public Hearing

Chairman Hackler opened the public hearing. Roger Cutsinger, with BHC Surveying, stated the owner is platting the property into five lots for single-family homes. Commissioner Hackler inquired if the lots to the east that KB Farms own are also zoned R-S. Mr Rickard stated they are R-1 since they are inside the city limits; R-S zoning is for outside the city limits, with different requirements on lot sizes. Mr. Rickard stated one citizen inquired about the increase in traffic and poor conditions on the road & is concerned about how the rezone will affect the value of their property. Mr. Rickard stated that the Township will continue to maintain the road, and he doesn't believe there will be an impact on the property values. Commissioner Letts inquired if the width of the road would be extended. Mr. Rickard indicated that the plat would show additional right of way in anticipation of a future arterial road, and the City is performing a transportation study to review all streets.

C. Discussion by Planning Commission

No further discussion ensued.

D. Motion

Commissioner Leason moved to recommend approval of Case No. 24-01-REZ, an application by Wade Wilkinson to rezone approximately 33 acres in a portion of the Southwest Quarter of Section 5-Township 26 South-Range 5 East in Butler County, Kansas, from A-R Agricultural Residential District to R-S Residential Suburban District. seconded by Commissioner Letts.

Roll Call Vote:

LJ Fischetti	Y
Scott Hackler	Y
Scott Leason	Y
Austin Letts	Y
Gerald Watson	Y

The motion passed (5-0). Mr. Rickard stated the application would go to the March 18th City Commission meeting.

ITEM NO. 2 – CASE NO. 24-02-REZ: PUBLIC HEARING FOR THE CONSIDERATION OF A REQUEST TO REZONE APPROXIMATELY 20 ACRES AT THE NORTHEAST CORNER OF SE 30TH STREET AND TETER ROAD A-R (AGRICULTURAL RESIDENTIAL DISTRICT TO R-S (RESIDENTIAL SUBURBAN DISTRICT)).

A. Presentation of Request

Scott Rickard provided an overview of the rezoning request. Andrew Jones has submitted a rezoning application to rezone 20 acres at the northeast corner of SE 30th Street and SE Teter

Road from A-R Agricultural Residential District to R-S Residential Suburban District. R-S is a residential zoning that primarily allows single-family residential on large lots. The applicant plans to build a single-family home on the property.

This property is located outside city limits but within the El Dorado Extraterritorial Jurisdiction (ETJ). The Butler County Commission recommended approval of the request at their meeting on February 20th, 2024.

B. Public Hearing

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

C. Discussion by Planning Commission

Commissioner Watson inquired if the property would be affected by the airport runway. Mr. Rickard indicated that the city owns a buffer beyond the runway, and there is no concern.

D. Motion

Commissioner Letts moved to recommend Case No. 24-02-REZ, an application by Andrew Jones to rezone 20 acres in a portion of the west half of the southwest quarter of Section 17, Township 26 Range 6 East, located at the Northeast Corner of SE 30th Street and Teter Road from A-R Agricultural Residential District to R-S Residential Suburban District, for reasons stated in the staff recommendation and heard at this public, seconded by Commissioner Leason.

Roll Call Vote:

LJ Fischetti	Y
Scott Hackler	Y
Scott Leason	Y
Austin Letts	Y
Gerald Watson	Y

The motion passed (5-0). Mr. Rickard stated the application would go to the March 18th City Commission meeting.

ITEM NO. 3 – CASE NO. 24-03-REZ: PUBLIC HEARING FOR THE CONSIDERATION OF A REQUEST TO REZONE APPROXIMATELY 78 ACRES ALONG W TOWANDA AVE. FROM A-R (AGRICULTURAL RESIDENTIAL DISTRICT TO R-3 (RESIDENTIAL MULTIPLE FAMILY DWELLING DISTRICT)).

A. Presentation of Request

Scott Rickard presented the request by Wes Struthers, and Dean Construction has submitted a rezoning application to rezone approximately 78.3 acres in the west half of the northeast quarter of Section 9, Township 26South, Range 5East in Butler County, Kansas, from A-R Agricultural

Residential District to R-3 Residential Multiple Family Dwelling District. The zoning R-3 can be a mixed-use of homes, including single-family, duplex, or triplex.

R-3 is intended for the purpose of allowing high residential density land use with the comingling of compatible single-family and two-family dwellings, apartments, home occupations, community facilities, and certain uses, yet retaining the basic residential quality.

The City Commission approved the annexation request at their meeting on February 19, 2024.

B. Public Hearing

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

C. Discussion by Planning Commission

Commissioner Leason inquired if the property had been platted. Mr. Rickard stated that the property has not been platted and has only been annexed into the City. Currently, the owner is asking for a rezone. Commissioner Hackler inquired if the same person owned the property to the west. Mr. Rickard stated it is.

Commissioner Leason asked if the annexation prompts the city to take over the utilities. Mr. Rickard indicated that the city would serve all municipal services, including water, sewer, fire, and police. Commissioner Leason inquired if the city or the taxpayers would be paying for the improvements. Mr. Rickard stated that City taxpayers partially pay development infrastructure costs, including the water lines, and a vast majority of the costs are paid by the developer, usually by special assessment. Commissioner Letts inquired if Towanda Ave will be widened or improved. Mr. Rickard indicated that the improvement has been in the city capital improvement plan for years, and the cost is quite significant, and eventually, the improvements will happen. Mr. Rickard also stated that the developer will sign an agreement never to protest the improvements of Towanda Avenue. Commissioner Hackler stated that El Dorado needs more homes.

D. Motion

Commissioner Leason moved to recommend approval of Case No. 24-03-REZ, an application by Wes Struthers and Dean Construction to rezone approximately 78.3 acres in the west half of the northeast quarter of Section 9, Township 26South, Range 5East in Butler County, Kansas, from A-R Agricultural Residential District to R-3 Residential Multiple Family Dwelling District, seconded by Commissioner Letts.

Roll Call Vote:

LJ Fischetti	Y
Scott Hackler	Y
Scott Leason	Y
Austin Letts	Y
Gerald Watson	Y

The motion passed (5-0). Mr. Rickard stated the application would go to the March 18th City Commission meeting.

4. OLD BUSINESS

5. STAFF ITEMS

Mr. Rickard stated the next meeting will be on 3-28-24 and they will discuss a request to rezone 200 N Star from R-3 to C-2 and the Belly Acres Plat.

6. ADJOURNMENT

The meeting was adjourned at 5:54pm.

PLANNING COMMISSION MEMORANDUM

TO: Planning Commission
FROM: Scott Rickard, Engineering Director
RE: Zone Change Application – 200 N Star

Melvin Enterprises has submitted a rezoning application to rezone 200 N Star St. from R-3 Multiple Family Dwelling District to C-2 Central Business District. The applicant plans to convert the current structure into a workshop for personal use. C-2 will accommodate the broad range of residential, retail shopping, and office uses normally found in a city's core area.

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 R-3 to the north, east, and west. The south zoning consists of C-2.

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

The Future Land Use Map (FLUM) designates the subject property as Neighborhood Mixed Use, defined as a mix of residential types and small-scale commercial and institutional uses typically meant to serve the surrounding neighborhood's needs. It serves as a transition between residential land uses and more intense land uses.

Adequacy of public utilities and other needed public services.

All public utilities serve the lot.

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 to allow 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 while retaining 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 and residential uses in the area.

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

Staff does not anticipate any 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.

Adopting 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. 24-04-REZ, an application by Melvin Enterprises to rezone 200 N Star St. from R-3 Multiple Family Dwelling District to C-2 Central Business District.

Legend

-  200' Buffer
-  Subject Prperty

Zoning 2024

Zone

-  C-1
-  C-2
-  R-1
-  R-3



200' Buffer

SUBJECT PROPERTY

W 2ND AVE

N STAR ST

W 1ST AVE

N WASHINGTON ST

GORDY ST