

EL DORADO

K A N S A S

PLANNING COMMISSION AGENDA

April 25, 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 3/28/24

3. NEW BUSINESS

ITEM NO. 1 - REZONE APPROX. 78 ACRES ON W TOWANDA

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

ITEM NO. 2 - PLAT BELLY ACRES WEST

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

4. OLD BUSINESS

5. STAFF ITEMS

1 - NEXT MEETING 5/23/24

PUBLIC HEARING TO REZONE APPROXIMATELY 38 ACRES AT SE 20TH ST
& SE BLUESTEM RD.

PLAT FOR ROCKY CREEK MEADOWS

ELECTION OF CHAIR & VICE CHAIR

6. ADJOURNMENT

EL DORADO

K A N S A S

PLANNING COMMISSION MINUTES - **DRAFT**

March 28, 2024

5:30 p.m.

1. CALL TO ORDER & ROLL CALL

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

Members Present

Steve Fellers

Scott Hackler

Debbra LaForge

Scott Leason

Austin Letts

Gerald Watson

Others Present

Vince Haines

2. APPROVAL OF MINUTES

Commissioner Leason moved to approve the minutes of February 29, 2024, seconded by Commissioner Fellers. The motion passed (6-0).

3. NEW BUSINESS

ITEM NO. 1 – CASE NO. 24-04-REZ: PUBLIC HEARING FOR THE CONSIDERATION OF A REQUEST TO REZONE 200 N STAR FROM R-3 (MULTIPLE FAMILY DWELLING DISTRICT) TO C-2 (CENTRAL BUSINESS DISTRICT).

A. Presentation of Request

Josh Potter provided an overview of Melvin Enterprises' request 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. Vince Haines, the owner, commented that he had purchased the former dentist's office property for personal use. Mr. Haines stated that the zoning across the street is also C-2, so his rezone request suits the property's use. Mr. Potter mentioned that the dentist's office was nonconforming, and the rezone fits the use.

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 Fellers inquired if the notice of hearing letters were mailed to the surrounding properties. Mr. Potter indicated that they were.

Commissioner Leason asked if the dentist's office should have already been zoned C-2. Mr. Potter mentioned that it was non-conforming.

Commissioner Fellers stated the rezoning fits the area and he will vote for the request.

D. Motion

Commissioner LaForge moved 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, seconded by Commissioner Leason.

Roll Call Vote:

Steve Fellers	Y
Scott Hackler	Y
Debbra LaForge	Y
Scott Leason	Y
Austin Letts	Y
Gerald Watson	Y

The motion passed (6-0).

4. OLD BUSINESS

5. STAFF ITEMS

Ms. Stalnaker stated the next meeting will be on March 28th. They will discuss a previously approved rezone request on W Towanda and possibly a few plats.

Commissioner Fellers commented that the decision-making guidelines the Planning Commissioners follow are clearly laid out in Article 2, Page 3 of the zoning regulations, which the board members should review.

6. ADJOURNMENT

The meeting was adjourned at 5:36 pm.

PLANNING COMMISSION MEMORANDUM

TO: Planning Commission
FROM: Scott Rickard, Engineering Director
RE: Zone Change Application – W Towanda Ave

Wes Struthers and Dean Construction have 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.

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 retain the basic residential quality.

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

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 A-R (Agricultural-Residential) to the north and south. To the west, the zoning consists of A-R and R-1 (Residential Low Density). The east is BCC's campus and is zoned O-I (Office Institutional).

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 that are typically meant to serve the needs of the surrounding neighborhood. This serves as a transition between residential land uses and more intense land uses.

Adequacy of public utilities and other needed public services.

The city will work with the developer to provide utilities for the development. Road access to these lots would be provided via Towanda Ave.

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

The current zoning, A-R, is restricted to agricultural and low-density residential uses.

Length of time property has remained vacant as zoned.

The property has been vacant and used for agricultural purposes.

Compatibility of the proposed district classification with nearby properties.

A few single-family residential properties are located to the west of the proposed rezoning area. The compatibility of the proposed R-3 Medium 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.

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

Residential development is not expected to affect neighboring properties detrimentally. 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.

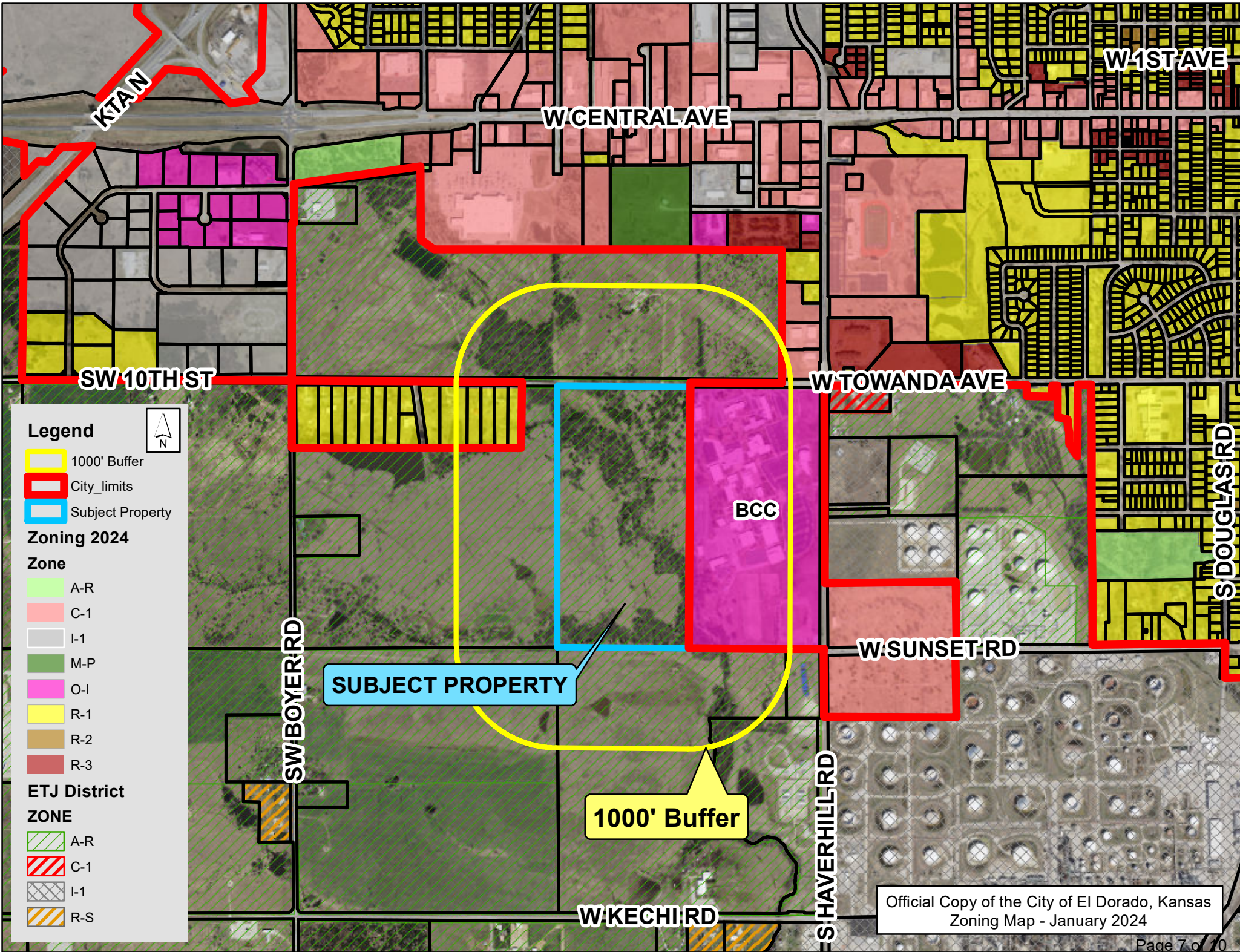
Staff does not anticipate a disproportionately great loss to nearby landowners due to the proposed rezoning.

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

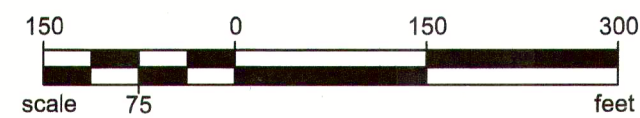
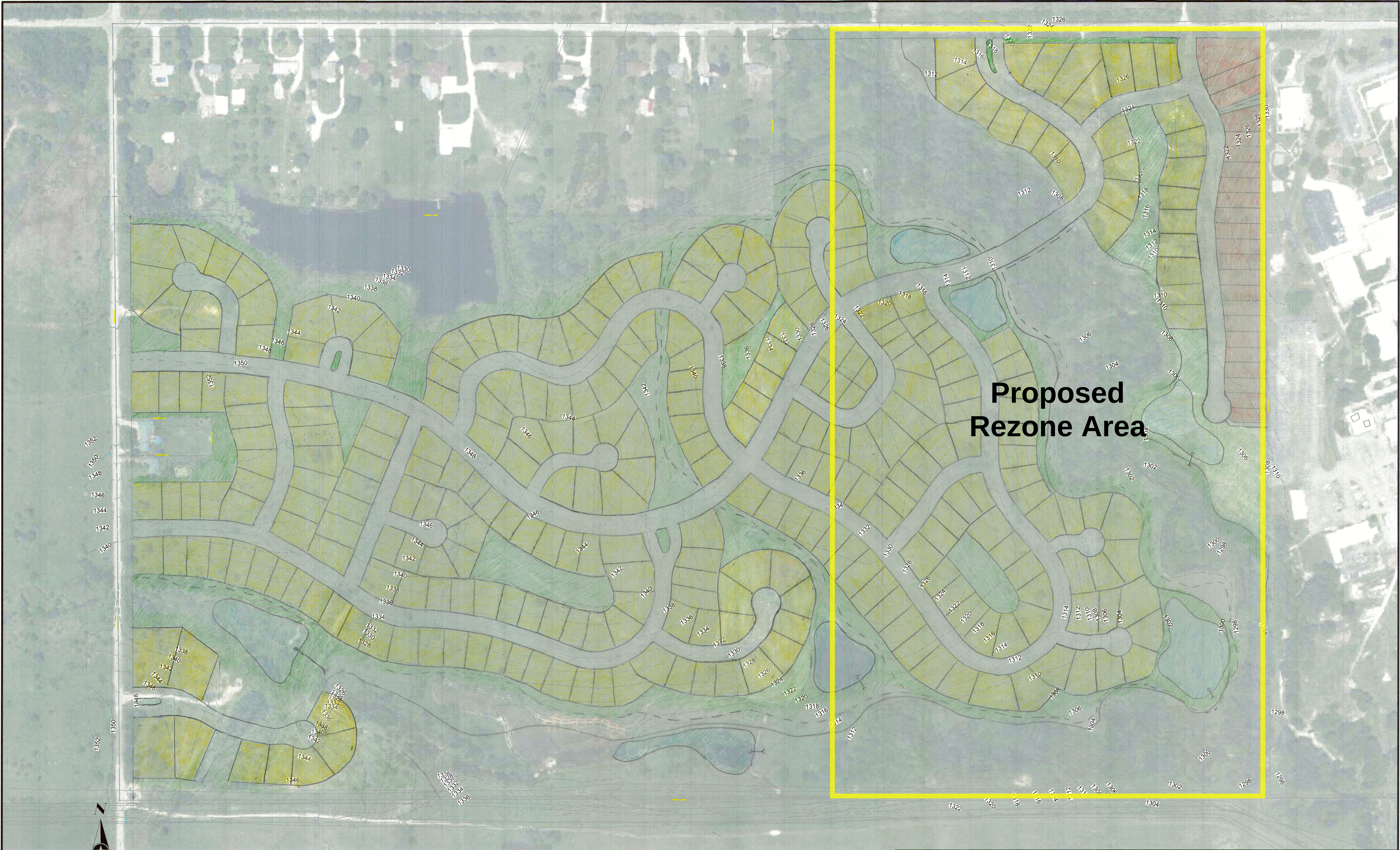
Motions:

To approve:

I move to recommend approval of Case No. 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.



Save: 10/3/2023 10:19 AM dburns Plot: 10/3/2023 10:20 AM X:\PT\SSA\FAH\174758\5-final-dsgn\51-drawings\10-Civil\lead\dwg\SA_174758_Concept EX.dwg



20 LOTS
80' x 120' SF LOTS
(10,000)



PROJECT NO.

DATE:
10/3/2023

SITE CONCEPT
TOWANDA DEVELOPMENT
EL DORADO, KANSAS

EXHIBIT
NO. 1

PLANNING COMMISSION MEMO

TO: Planning Commission
FROM: Scott Rickard, Engineering Director
RE: Belly Acres West - plat

The Belly Acres West plat located along SW 10th Street creates five residential lots. These lots were rezoned to R-S Residential-Suburban District earlier this year. This property is located outside city limits but within the El Dorado Extraterritorial Jurisdiction (ETJ). The Butler County Commission will also review the plat.

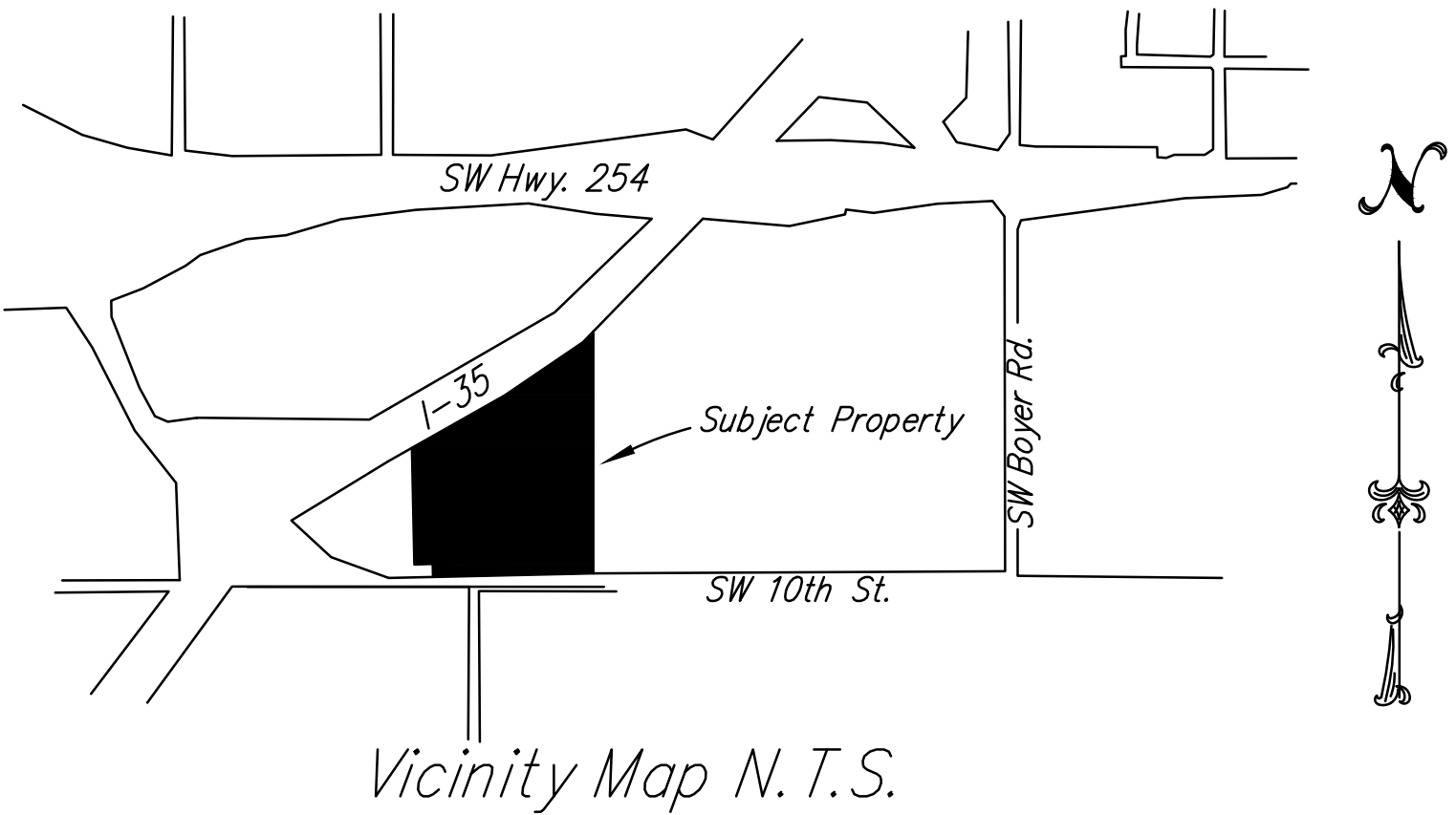
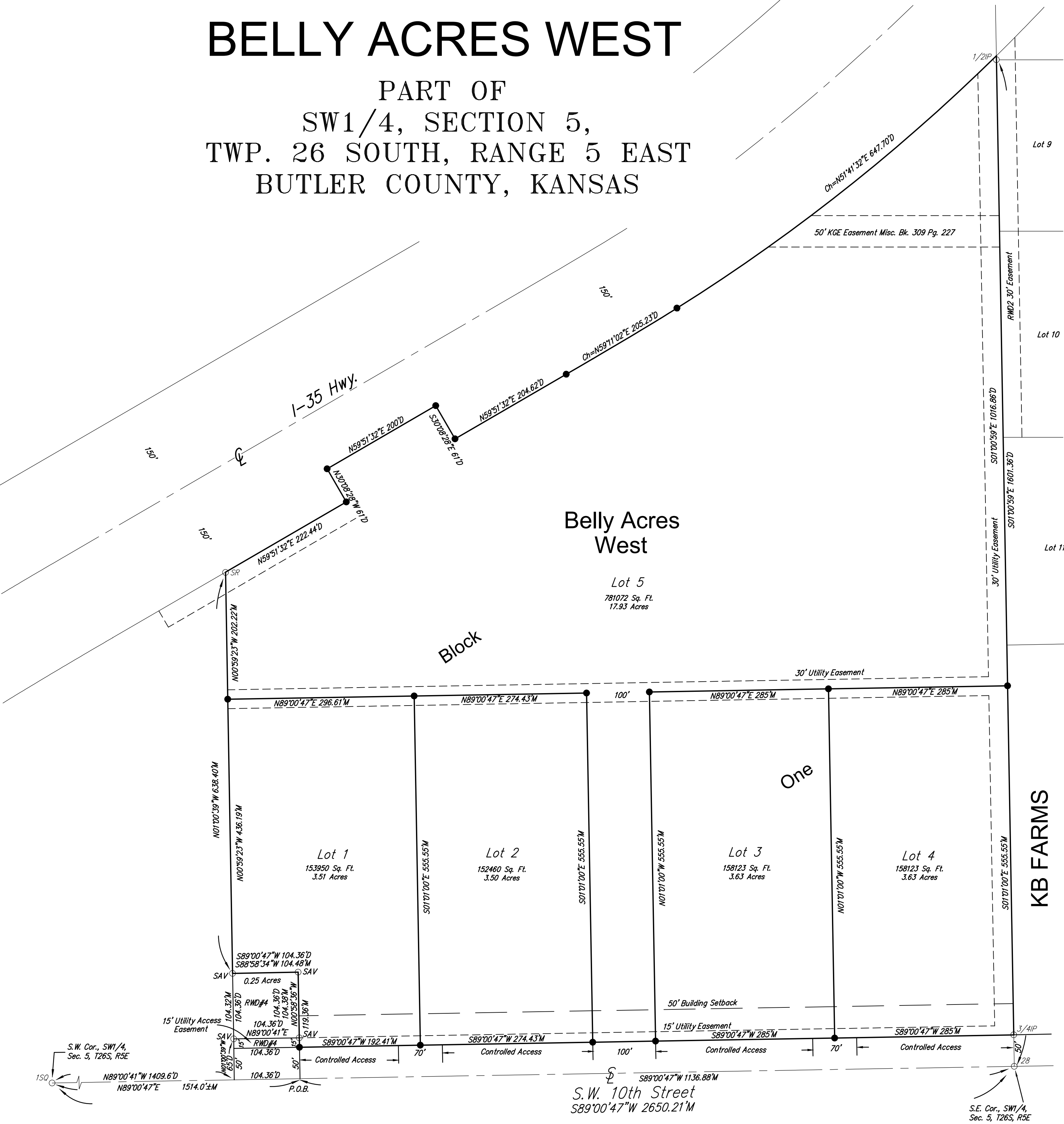
The final plat meets the requirements found in the Zoning Ordinance and Subdivision Regulations. Staff does recommend approval of the plat.

Recommended Motion:

I move to approve the plat of Belly Acres West, as presented.

BELLY ACRES WEST

PART OF
SW1/4, SECTION 5,
TWP. 26 SOUTH, RANGE 5 EAST
BUTLER COUNTY, KANSAS



- LEGEND
- SR SUCKER ROD (Found)
 - 28 1/2" Bar w/LS 28 Cap (Found)
 - SAV 1/2" Bar w/Savoy Cap (Found)
 - 1/2R 1/2" Rebar (Found)
 - 1/2IP 1/2" Iron Pipe (Found)
 - 3/4IP 3/4" Iron Pipe (Found)
 - 1SQ 1" Square Bar (Found)
 - 1/2"x24"Bar w/BHC Cap (Set)

El Dorado
Business Park

BUTLER COUNTY COMMISSIONERS CERTIFICATE

State of Kansas) SS
County of Butler)

This Plat if approved and all dedications shown hereon,
if any, are hereby accepted by the Board of County
Commissioners on this _____ day of _____,
2024.

Dan Woydziak Chairman

Tatum Stafford, Butler County Clerk

~ BUTLER COUNTY REGISTER OF DEEDS ~

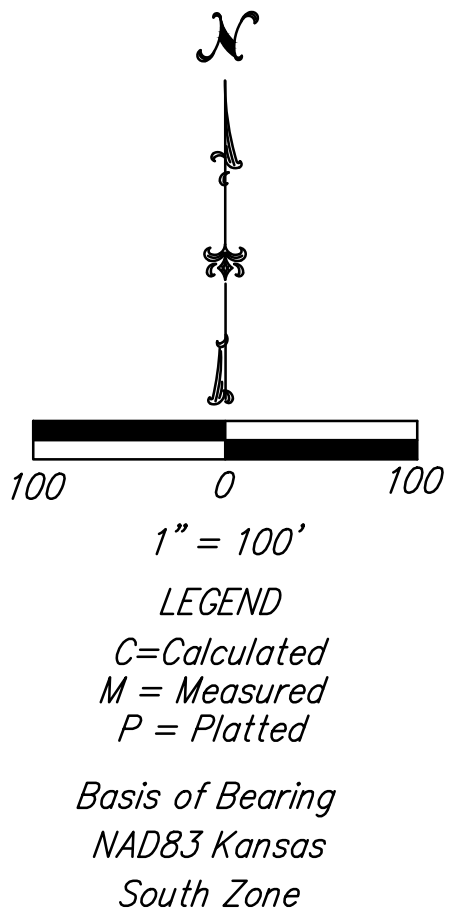
STATE OF KANSAS)
COUNTY OF BUTLER) SS

This is to certify that this instrument was filed for record in the Register
of Deeds office at _____M. on the _____ day of _____, 2024
and was duly recorded in Book ____ at Page _____.

Jacque Roberts, Register of Deeds

Entered on transfer record this _____ day of _____, 2024

Tatum Stafford, Butler County Clerk



LEGEND
C=Calculated
M = Measured
P = Platted
Basis of Bearing
NAD83 Kansas
South Zone

CERTIFICATE OF SURVEY

Commencing at the Southwest Corner of the Southwest Quarter of Section 5, Township 26 South, Range 5 East of the 6th Principal Meridian, Butler County, Kansas; thence N89°00'41"E along the South Line of the Southwest Quarter, a distance of 1514 feet, more or less, to the Point of Beginning; thence N01°00'39"W, a distance of 50 feet; thence N89°00'41"E, a distance of 119.36 feet; thence N01°00'39"W, a distance of 104.36 feet; thence N01°0'39"W, 638.40 feet to a point on the South Right-of-way Line of the Kansas Turnpike Authority, said point being 150 feet Southeasterly at right angles to the Kansas Turnpike Authority Centerline Station 6140+77.56; thence N59°51'32"E along said Right-of-way Line, a distance of 222.44 feet; thence N30°08'28"W, a distance of 61.00 feet; thence N59°51'32"E, a distance of 200.00 feet; thence S30°08'28"E, a distance of 61.00 feet; thence N59°51'32"E, a distance of 204.62 feet; thence along a spiral curve to the left with a central angle of 2 degrees, having a chord bearing of N59°11'02"E, a chord distance of 205.23 feet; thence along a circular curve to the left with a radius of 3014.97 feet, having a chord bearing of N51°41'32"E, a chord distance of 647.70 feet to the most Westerly Corner of Lot 9 Block 1, El Dorado Business Park Addition; thence S01°00'59"E along the West Line of said Addition, a distance of 1601.36 feet to the South Line of the Southwest Quarter; thence S89°00'41"W, a distance of 1136.88 feet to the Point of Beginning. Said tract contains 33 acres more or less.

Date Signed: _____

Roger L. Cutsinger P.S. #805

LAND SURVEYORS REVIEW

Reviewed in accordance with K.S.A. 58-2005 on this _____ day of _____, 2024.

Michael A. Work PS#1160

Butler County Surveyor, Butler Co., Kansas

OWNER'S CERTIFICATE

State of Kansas)
County of Butler) SS

This is to certify that the undersigned owner(s) of the land described in the Surveyor's Certificate; have caused the same to be surveyed and subdivided on the accompanying plat into lots, blocks, streets and other public ways under the name of Belly Acres West; that all highways, streets, alleys, easements and public grounds as denoted on the plat are hereby dedicated to and for the use of the public for the purposes of constructing, operating, maintaining and repairing public improvements. The land contained herein is held and shall be conveyed subject to any restrictions, reservations, and covenants on file or hereafter filed in the Office of the Register of Deeds of Butler County, Kansas.

Date Signed: _____

Owner

NOTARY CERTIFICATE

State of Kansas)
County of Butler) SS

The foregoing instrument was acknowledged before me this _____ day of _____, 2024, by _____

Owner

_____, Notary Public

My appointment expires: _____

PROJECT NO. 040900.00.01

BHC
CIVIL ENGINEERING / SURVEYING / UTILITIES
120 N. Main, Suite 3, El dorado, KS 67042
Phone: (316) 452-5552