

EL DORADO

K A N S A S

PLANNING COMMISSION AGENDA

August 22, 2024

5:30 PM

1. CALL TO ORDER & ROLL CALL

James Barnaby
Steve Fellers
Lawrence Fischetti
Debbra Laforge
Scott Leason
Brad Long
Austin Letts
Norm Wilks

2. APPROVAL OF MINUTES

1 - APPROVAL OF 6/27/24 MINUTES

3. NEW BUSINESS

ITEM NO. 1 - REZONE 319 S TAYLOR FROM R-1 TO R-2

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

4. OLD BUSINESS

5. STAFF ITEMS

1 - NEXT MEETING 9/26/24 - SUP 401 S HAVERHILL RD.

6. ADJOURNMENT

EL DORADO

KANSAS

PLANNING COMMISSION MINUTES-DRAFT

June 27, 2024

5:30 p.m.

1. CALL TO ORDER & ROLL CALL

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

Members Present

Steve Fellers

Debbra LaForge

Scott Leason

Austin Letts

Norman Wilks

Staff Present

Scott Rickard

2. APPROVAL OF MINUTES 5/23/24

3. NEW BUSINESS

ITEM NO. 1 – CASE NO. 24-06-REZ: PUBLIC HEARING FOR THE CONSIDERATION OF A REQUEST TO REZONE APPROXIMATELY 6.6 ACRES ON RIVER RD FROM C-1 (GENERAL BUSINESS DISTRICT TO R-1 (RESIDENTIAL SUBURBAN DISTRICT)).

A. Presentation of Request

Dan Gonzales' rezoning application for approximately 6.6 acres at the southwest corner of East River Road and North Stone Road from C-1 General Business District to R-1 Residential Low-Density District.

The neighborhood consists of R-3 zoning to the west, which includes multiple-family dwellings and higher-density residential uses. To the south and north, the area is zoned C-1 General Business District, allowing for a variety of commercial activities, however, the current use of the properties to the north is single-family. Adjacent land in the ETJ to the east is zoned A-R, which is designated for agricultural-residential purposes. This mix of residential and agricultural zoning indicates a predominantly low to medium-density residential character, supporting the transition to R-1 zoning.

Commissioner Letts inquired if the property would need to be platted. Mr. Rickard stated that it would not since only a single home is planned to be built.

B. Public Hearing

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

C. Discussion by Planning Commission

Commissioner Fellers stated it is a good project for residential.

Commissioner Wilks commented there has not been any commercial development. Mr. Rickard stated that due to the condition of Stone Road and River Road, a commercial development would not be a good fit for the property.

Commissioner Letts inquired about flooding in the area. Mr. Rickard stated most of the property is out of the floodplain.

D. Motion

Commissioner Leason moved to recommend approval of Case No. 24-06-REZ, an application by Dan Gonzales to rezone approximately 6.6 acres in a portion of the south half of Section 4 Township 26 South Range 5 East in Butler County, Kansas, from C-1 General Business District to R-1 Residential Low-Density District for reasons stated in the staff recommendation and heard at this public hearing seconded by Commissioner LaForge.

ROLL CALL VOTE

Commissioner Fellers	Y
Commissioner LaForge	Y
Commissioner Leason	Y
Chairman Letts	Y
Commissioner Wilks	Y

4. OLD BUSINESS

5. STAFF ITEMS

- Need one additional member that resides within 3 miles of the city limits to complete the board.
- Staff working on a PowerPoint training course for the Planning Commission.
- Changes to the code to have the Planning Commission serve as the BZA.
- No meeting in July potentially a SUP in August for a process manufacturing facility.
- Commissioner Fellers inquired about ETJ zoning. Mr. Rickard explained the purpose is to control growth and the county's role is to say it conforms to the comp plan.

6. ADJOURNMENT

The meeting was adjourned at 5:44 pm.

PLANNING COMMISSION MEMORANDUM

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

Subject: Engles Property Management represents KJA Enterprises LLC. They are requesting to rezone the property located at 319 S Taylor from R-1 Residential Low-Density District to R-2 Residential Medium-Density District. The applicant proposes to split the lot and build two duplexes.

Findings of Fact

Character of the Neighborhood:

The neighborhood in the area consists of R-2 zoning to the east with R-1 single-family to the north, west, and south. The introduction of duplexes within the R-2 zoning district will maintain the residential character of the neighborhood while providing a gradual transition between existing R-1 properties and more dense developments. The proposed duplexes are consistent with the surrounding neighborhood and will not disrupt the existing character.

Consistency with the Comprehensive Plan and Ordinances of the City of El Dorado:

The Future Land Use Map (FLUM) designates the subject property as Low-Density Residential, defined as “single or two-family residential land uses with a density generally no greater than eight units per acre.” The proposed rezoning aligns with the intent of the **2023 El Dorado Zoning Regulations**. Specifically, the R-2 Residential Medium-Density District is designed to accommodate moderate-density residential development, including both single-family and two-family dwellings. This rezoning is consistent with the comprehensive plan’s goals of offering diverse housing options while maintaining neighborhood integrity. The proposed development will support these goals by introducing duplexes that fit within the planned density and use types envisioned for this area.

Adequacy of Public Utilities and Other Needed Public Services:

The property has access to all public utilities. This ensures that the development will not place undue strain on existing infrastructure, in line with **Article 4, Section 4.6** of the Zoning Regulations, which emphasizes the importance of adequate public services to support residential development. The availability of utilities is a critical factor in determining the suitability of the site for increased density.

Suitability of the Uses to Which the Property has been Restricted under its Existing Zoning:

R-1 is one of the most restrictive zoning districts in the zoning ordinance, allowing for single-family residential and limited institutional uses such as churches and schools. The proposed R-2 zoning is more suitable for the area given the presence of existing R-2 zoned properties nearby. This change will allow for an appropriate increase in density that is compatible with surrounding uses and supports the broader objectives of the city's zoning plan.

Length of Time the Property has Remained Vacant as Zoned:

Currently, there are three homes on the lot that were used as rentals. The homes were built in the 1900s. While the property is not vacant, its current use under R-1 zoning limits the potential for redevelopment that aligns with the city’s objectives for moderate-density residential growth.

Compatibility of the Proposed District Classification with Nearby Properties:

The proposed R-2 zoning is compatible with the adjacent residential properties. The R-2 district provides a logical transition between lower-density single-family homes and higher-density uses. This compatibility is reinforced by **Article 13, Section 13.2** of the Zoning Regulations, which guides the transition between zoning districts to maintain neighborhood cohesion and protect property values.

The Extent to which the Zoning Amendment may Detrimentally Affect Nearby Properties:

The addition of two duplexes under the R-2 zoning is not expected to detrimentally affect neighboring properties. Instead, it will contribute positively by increasing the housing supply, enhancing property values, and improving neighborhood stability. According to **Article 11, Section 11.1** of the Zoning

Regulations, residential developments like the proposed duplexes are anticipated to have minimal traffic impact and no significant adverse effects on environmental quality. The modest increase in density is compatible with the neighborhood and will not lead to significant changes in traffic patterns, noise, or other environmental factors.

Whether the Proposed Amendment Provides a Disproportionately Great Loss to the Individual Land Owners Nearby Relative to the Public Gain:

The proposed rezoning is unlikely to cause a disproportionately great loss to nearby landowners. The public gain in terms of increased housing availability, improved neighborhood cohesion, and enhanced property values significantly outweighs any minimal negative impacts. The **2023 Zoning Regulations** support such rezonings when they align with the comprehensive plan's vision of balanced growth and housing diversity, ensuring that public benefits are maximized.

Suggested Motion:

I move to recommend approval of Case No. 24-08-REZ, an application by KJA Enterprises LLC to rezone the property located at 319 S Taylor from R-1 Residential Low-Density District to R-2 Residential Medium-Density District for reasons stated in the staff recommendation and heard at this public hearing.

Legend

 Subject Property

 200' Buffer

 Parcels

Zoning 2024

Zone

 C-1

 O-1

 R-1

 R-2

 R-3



W PINE AVE

SUBJECT PROPERTY

W ASH AVE

STAYLOR ST

W OLIVE AVE

200' Buffer

W LOCUST AVE

SWASHINGTON ST