

EL DORADO

K A N S A S

PLANNING COMMISSION AGENDA

February 27, 2025

5:30 PM

1. CALL TO ORDER & ROLL CALL

James Barnaby
Steve Fellers
Lawrence Fischetti
Debbra LaForge
Scott Leason
Brad Long
Austin Letts
Norman Wilks

2. APPROVAL OF MINUTES

1 - 1/23/25 MINUTES

3. NEW BUSINESS

ITEM NO. 1 - REZONE - 1257 SW HWY 77

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

ITEM NO. 2 - FINAL PLAT-NANCY GRANGE SUBDIVISION

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

4. OLD BUSINESS

5. STAFF ITEMS

1 - NEXT MEETING - 3/27/25

6. ADJOURNMENT

EL DORADO

K A N S A S

PLANNING COMMISSION MINUTES-DRAFT

January 23, 2025

5:30 p.m.

1. CALL TO ORDER & ROLL CALL

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

Members Present

James Barnaby
Steve Fellers
Debbra LaForge
L J Fischetti
Scott Leason
Austin Letts
Brad Long
Norman Wilks

Staff Present

Scott Rickard
Sam Cooper

Others Present

Eddie Dean Jr
Samantha Ghareeb, SEH

2. APPROVAL OF MINUTES 12/19/24

3. NEW BUSINESS

ITEM NO. 1 – CASE NO. 24-05-PLAT: CONSIDERATION OF CEDAR RIDGE ESTATES FIRST ADDITION FINAL PLAT.

A. Presentation of Request

Mr. Rickard presented the final plat for Cedar Ridge Estates First Addition. The Planning Commission reviews the final plat to ensure compliance with the City's Subdivision and Zoning Regulations and alignment with the Comprehensive Plan. Approval of the final plat will enable the development of this phase.

B. Discussion by Planning Commission

Mr. Dean stated that some lots are different in size from the preliminary plat; they were changed from twin home to single-family.

Commissioner Fischetti inquired about the easement size. Mr. Rickard stated the plat has a 45-foot reserve buffer and a 15-foot easement for utilities. Commissioner Fischetti inquired if fences could be built in the utility easement. Mr. Rickard stated nothing can be built in the reserve, but a fence is allowed in the utility easement, with the understanding that it can be removed.

Commissioner Long asked if the utilities would be underground. Mr. Dean stated they would.

Commissioner Fellers and Commissioner Letts both commented that this is a good project.

C. Motion

Commissioner Leason moved to approve the final plat of the Cedar Ridge Estates First Addition as presented, seconded by Commissioner Wilks.

ROLL CALL VOTE

Commissioner Barnaby	Y
Commissioner Fischetti	Y
Commissioner Fellers	Y
Commissioner LaForge	Y
Commissioner Leason	Y
Chairman Letts	Y
Commissioner Long	Y
Commissioner Wilks	Y

Motion passed 8-0.

4. OLD BUSINESS

5. STAFF ITEMS

The Next Meeting is on February 27, 2025. The pending item is a plat for El Dorado Business Park 2nd Addition.

6. ADJOURNMENT

The meeting was adjourned at 5:45 pm.

PLANNING COMMISSION MEMORANDUM

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

Background:

The applicant, Ryan Miller, has submitted a request to rezone the property at 1257 SW Hwy 77 from A-R (Agricultural-Residential District) to I-1 (Light Industrial District). The current owner, Brickley Enterprises, is in the process of selling the property to Mr. Miller, who proposes to use the land for outdoor storage of RVs and boats.

Historically, the property has been used for industrial purposes, including as an oil field service company and a mechanic's shop, indicating that the requested zoning aligns with previous land uses. A Letter of Map Amendment (LOMA) has been secured for a portion of the site, officially removing it from the floodplain and reducing regulatory constraints on its use.

This property is located within the City's Extraterritorial Jurisdiction (ETJ) along US-77/US-54, meaning that while the City of El Dorado maintains zoning authority, Butler County will handle all building code compliance and enforcement. On February 4th, Butler County reviewed the case and voted to approve the zoning change.

Findings of Fact:

In reviewing the zone change request, the Planning Commission must determine its compatibility with the following criteria:

A) Character of the Neighborhood:

The surrounding properties are primarily zoned A-R (Agricultural-Residential District) to the west and south, supporting low-density residential and agricultural uses. However, to the east of US-77/US-54, the area is more mixed, with zoning classifications that include:

- I-1 (Light Industrial District)
- A-R (Agricultural-Residential District)
- R-S (Residential Suburban District)

Additionally, the property has a longstanding history of industrial use, including as an oil field service business and a mechanic shop, which supports its continued use for industrial purposes. The presence of existing light industrial zoning nearby further suggests that the proposed zoning change is consistent with the area's evolving land-use trends.

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

The Future Land Use Map (FLUM) designates this area as Commercial, which includes retail, professional office, and service-oriented businesses that cater to both local residents and regional consumers.

While I-1 (Light Industrial District) is not explicitly defined as commercial, the proposed outdoor storage of RVs and boats aligns with commercial support services and low-impact industrial uses, making the rezoning request generally compatible with the intent of the Comprehensive Plan.

C) Adequacy of Public Utilities and Other Needed Public Services:

- Water: The property Served.

- Sanitary Sewer: Served
- Transportation Access:
 - The property fronts US-77/US-54, a major regional highway, providing direct access for industrial uses.
 - Any new access points onto US-77/US-54 must comply with KDOT access management policies to ensure safe ingress and egress.

D) Suitability of the Uses to Which the Property Has Been Restricted Under Its Existing Zoning:

- The existing A-R (Agricultural-Residential District) zoning limits the property to agriculture and low-density residential uses.
- Given the historical industrial use of the site, A-R zoning is no longer suitable, and I-1 zoning is more appropriate for the intended use of outdoor storage.

E) Length of Time the Property Has Remained Vacant as Zoned:

- The property has been vacant since June 2024, with no significant development occurring under the A-R designation.
- Given its past industrial use and proximity to a major highway corridor, the site is better suited for commercial or light industrial activity rather than continued agricultural zoning.

F) Compatibility of the Proposed District Classification with Nearby Properties:

- Existing I-1 zoning across the highway suggests an established presence of light industrial activities in the vicinity.
- The transition from A-R to I-1 is logical, given the location along a highway corridor, where similar zoning changes have occurred to accommodate commercial and industrial growth.

G) The Extent to Which the Zoning Amendment May Detrimentially Affect Nearby Properties:

- Outdoor storage of RVs and boats is a low-intensity industrial use, meaning it will not generate excessive noise, odors, or emissions.
- Visual impact concerns can be addressed through landscaping and screening requirements per El Dorado's zoning regulations.
- Traffic impact is expected to be minimal, as outdoor storage typically involves low daily trip counts compared to other industrial uses.

H) Whether the Proposed Amendment Provides a Disproportionately Great Loss to Nearby Landowners Relative to Public Gain:

- No disproportionately negative impact is anticipated.
- The proposed I-1 zoning aligns with regional economic development objectives, expanding light industrial opportunities along a key transportation corridor.

Staff Recommendation:

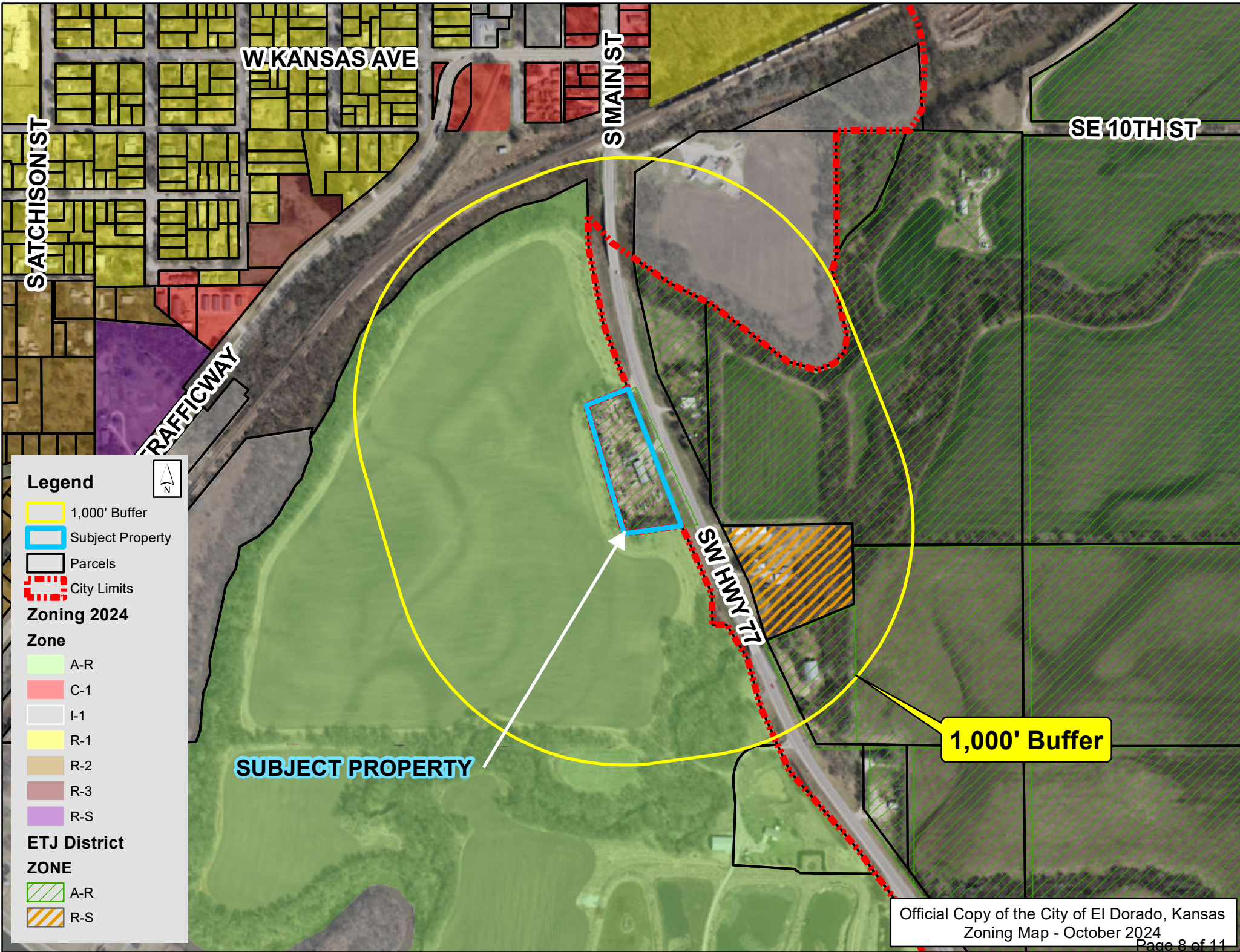
Based on the findings above, staff recommends approval of the rezoning request from A-R to I-1. The

proposed use is compatible with the surrounding land uses, meets comprehensive plan objectives, and does not impose significant negative impacts on adjacent properties.

Additionally, all compliance matters, including building code enforcement and any future land use restrictions, will be under Butler County's jurisdiction.

Suggested Motion:

"I move to recommend approval of Case No. 25-01-REZ, Ryan Miller's application to rezone approximately 1257 SW Hwy 77 to I-1 (Light Industrial District), for reasons stated in the staff recommendation and heard at this public hearing."



Legend

- 1,000' Buffer
- Subject Property
- Parcels
- City Limits

Zoning 2024

Zone

- A-R
- C-1
- I-1
- R-1
- R-2
- R-3
- R-S

ETJ District

ZONE

- A-R
- R-S



2/6/2025

From: Board of County Commission

To: El Dorado Planning Commission

Reference: Rezone application to change the zoning from A-R to I-1

Submitted by: Brickley Enterprises

Location: 1257 SW Highway 77, El Dorado, KS

On 2/4/2025, the case was brought before the Board of County Commission. The board reviewed the case taking into consideration the LOMA received removing a good portion of the property from the floodplain area. The Board voted to approve the zoning change giving a positive recommendation.

Sincerely,

Toby Stewart, Director

Butler County Community Development

PLANNING COMMISSION MEMORANDUM

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

BHC has submitted a final plat for the Nancy Grange Subdivision. This plat divides one parcel into three lots. The subdivision is located in Section 33, Township 25 South, Range 5 East of the Industrial Park (west side of Garcia Ct.). The property is zoned I-1 Light Industrial.

The Planning Commission reviews the final plat to ensure compliance with the City's Subdivision and Zoning Regulations and alignment with the Comprehensive Plan. Approval of the final plat will enable the development of this phase.

Compliance with Zoning and Subdivision Regulations

The final plat meets all lot size, frontage, setback, and easement requirements outlined in the Subdivision and Zoning Regulations for the I-1 Light Industrial zoning district. The subdivision is consistent with surrounding industrial development and is appropriately sized for future industrial uses.

Infrastructure and Utilities

- Drainage: Completed during the design and construction of Garcia Ct., requiring no additional improvements.
- Sanitary Sewer: Served by an existing 8-inch sanitary sewer line with adequate capacity.
- Water: Served by an existing 6-inch water line, which provides sufficient pressure and volume for industrial use and fire protection.

Lot Layout and Design

The subdivision is strictly administrative, dividing an existing parcel into three lots without altering the property's functionality. The plat maintains proper access, infrastructure, and zoning compliance, ensuring continued industrial use.

Recommendation and Motion

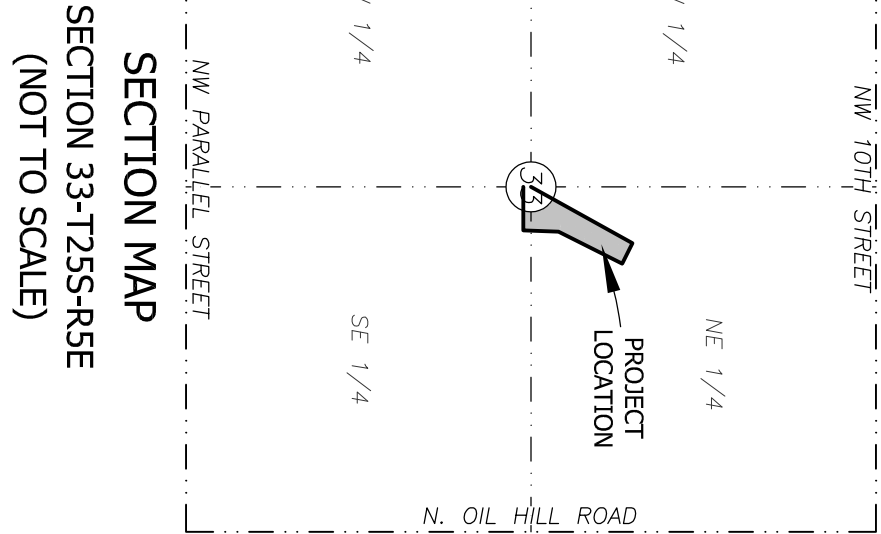
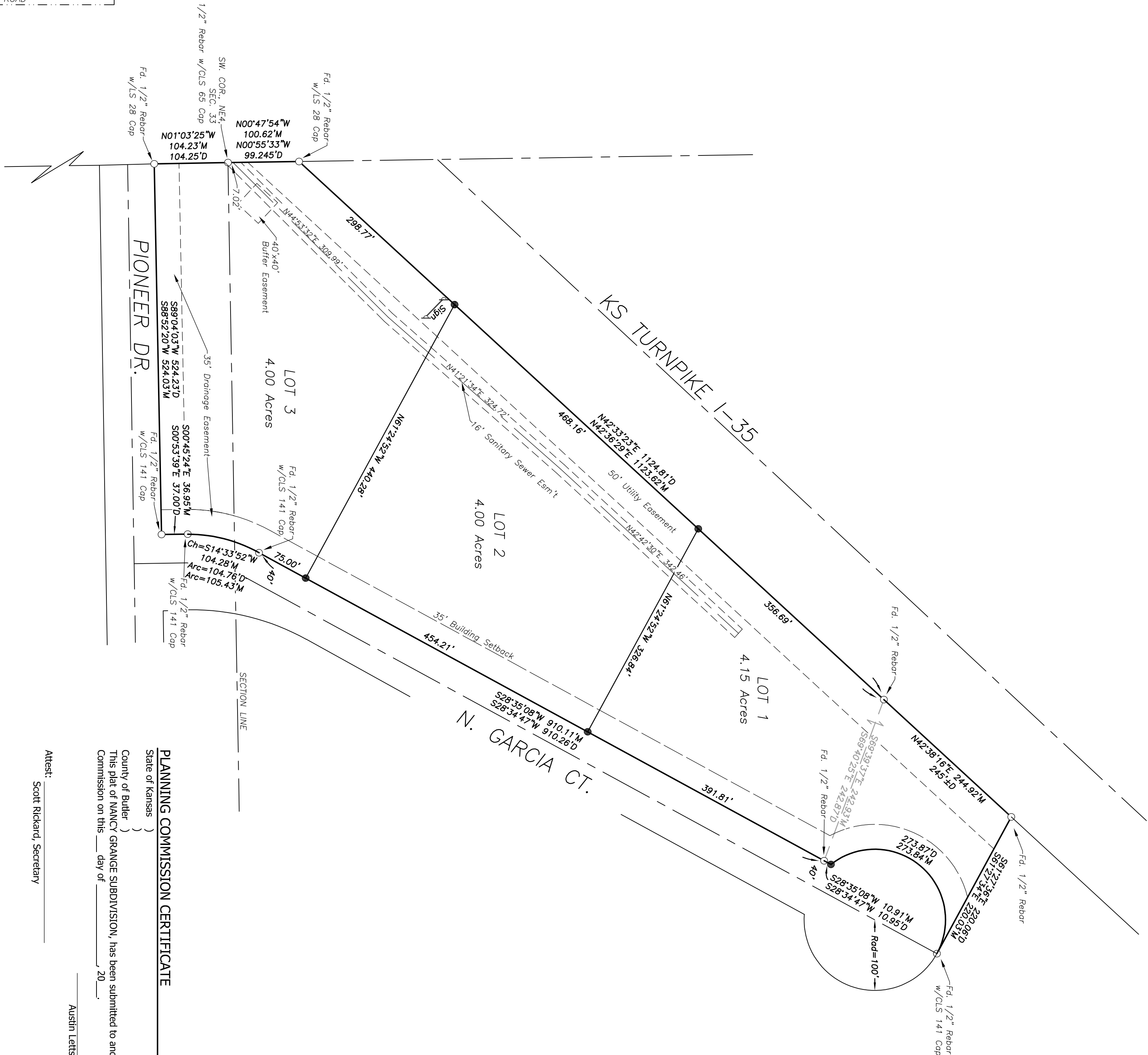
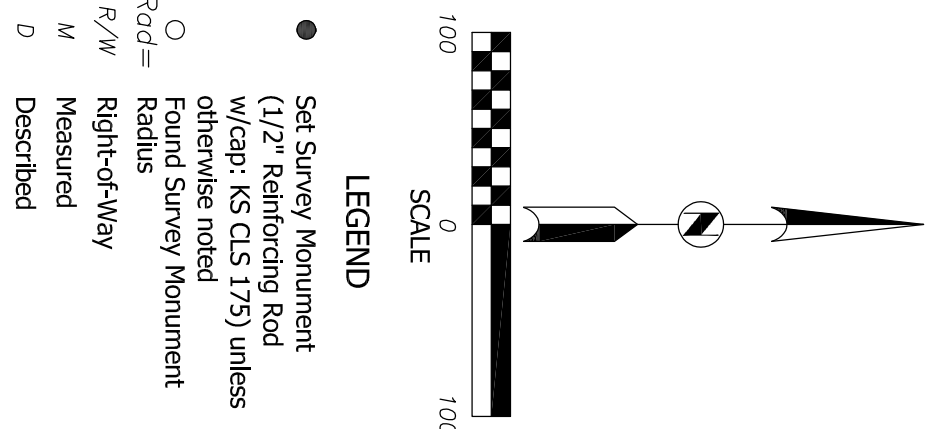
Staff recommends that the final plat for Nancy Grange Subdivision be approved, as it complies with all applicable regulations and aligns with the City's Comprehensive Plan.

Recommended Motion:

"I move to approve the final plat of the Nancy Grange Subdivision as presented."

NANCY GRANGE SUBDIVISION

IN SECTION 33, TOWNSHIP 25 SOUTH, RANGE 5 EAST, IN BUTLER COUNTY KANSAS



PLANNING COMMISSION CERTIFICATE

State of Kansas)
County of Butler)
The plat of NANCY GRANGE SUBDIVISION, has been submitted to and approved by the El Dorado Planning Commission on this ____ day of ____, 20__.

Attest: Scott Rickard, Secretary

Austin Letts, Chairman

CITY COMMISSIONER'S CERTIFICATE

State of Kansas)
County of Butler)
These easements and right-of-way accepted by the City Commission of El Dorado, Kansas, this ____ day of ____, 20__.

Attest: Emerald Ashlock, City Clerk

Bill Young, Mayor

SURVEYORS CERTIFICATION

I, Roger L. Cutsinger, a Registered Land Surveyor in the State of Kansas do hereby certify that the following described tract of land was surveyed on October 11, 2024 and the accompanying final plat was prepared and that all of the monuments shown hereon actually exist and their positions are correctly shown to the best of my knowledge and belief.

SUBDIVISION BOUNDARY DESCRIPTION

That part of the Northeast Quarter and Southeast Quarter of Section 33, Township 25 South, Range 5 East of the 6th P.M., in Butler County, Kansas, said Tract as surveyed by Roger L. Cutsinger, P.S. 805 of B.C., KS C.S. 175, on October 11, 2024, and described as follows:

Beginning at a point on the West line of the Southeast Quarter of Section 33, Township 25 South, Range 5 East of the 6th P.M., Butler County, Kansas, said point being 104.25 feet South of the Northwest Corner of said Southeast Quarter, thence North along said West line, a distance of 104.25 feet to said Northwest Corner; thence North 00°55'33" West, along the West line of the Northeast Quarter, a distance of 99.245 feet; thence North 42°33'23" East (bearings taken from NAD83 Kansas South Zone), along the Southeastly Right-of-Way of the Kansas Turnpike, a distance of 1124.81 feet; thence South 69°40'25" East, a distance of 242.87 feet to a point on the West line of Pioneer Court; thence South 28°34'47" West, a distance of 910.26 feet to a point of curve having a radius of 336.46 feet and an arc distance of 104.76 feet to a point of tangency; thence South 00°55'39" East, a distance of 37 feet to a point on the North Right-of-Way of Pioneer Drive; thence South 69°40'03" West, a distance of 528.34 feet to the point of beginning.

Commencing at the Southwest corner of the Northeast Quarter of Section 33, Township 25 South, Range 5 East of the 6th P.M., in Butler County, Kansas; thence N0°55'33"W, along the West line of said Northeast Quarter, a distance of 99.24 feet to a point on the Southeastly Right of Way of the Kansas Turnpike, thence North 42°33'23" East, along said Kansas Turnpike Right of Way, a distance of 1124.81 feet to the point of beginning, thence continuing Northerly along said Right-of-way, a distance of 245 feet, more or less, thence South 61°27'36" East, a distance of 220.06 feet to the centerline of Garcia Court extended to the Northern edge of a 100 foot radius cut-de-sic, thence curving counter-clockwise, along said cut-de-sic, a distance of 273.87 feet; thence S28°34'47"W, a distance of 10.95 feet; thence N69°40'25"W, a distance of 242.87 feet to the point of beginning.

SURVEY REVIEW

This survey has been reviewed for filing, pursuant to K.S.A. 58-2003, 58-2005 and 58-2011, for content only and is in compliance with those provisions. No other warranties are extended or implied.

Michael A. Work, KS P.L.S. 1160
Butler County Surveyor

OWNERS CERTIFICATE

STATE OF KANSAS)
COUNTY OF BUTLER)

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 Nancy Grange Subdivision, and that all streets, easements and public grounds as denoted on the plat are hereby dedicated to and for the use of the public for the purpose of constructing, operating, maintaining and repairing public improvements; and further, that the land contained herein, both 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.

By: John C. Grange, Owner Date: Nancy J. Grange, Owner Date:

NOTARY CERTIFICATE

STATE OF KANSAS)
COUNTY OF BUTLER)

The foregoing instrument was acknowledged before me this ____ day of ____, 20__, by John C. Grange.

IN WITNESS THEREOF: I have hereunto set my hand and affixed my Notarial Seal on the date last above written.

Notary Public: _____

NOTARY CERTIFICATE

STATE OF KANSAS)
COUNTY OF BUTLER)

The foregoing instrument was acknowledged before me this ____ day of ____, 20__, by Nancy J. Grange.

IN WITNESS THEREOF: I have hereunto set my hand and affixed my Notarial Seal on the date last above written.

Notary Public: _____

CITY ATTORNEY'S CERTIFICATE

STATE OF KANSAS)
COUNTY OF BUTLER)

This plat is approved as an addition to the City of El Dorado, Kansas pursuant to the provisions of K.S.A. 12-4-1.

Date signed: _____ Ashlyn Lindsay, City Attorney

STATE OF KANSAS)
COUNTY OF BUTLER)

This is to certify that this instrument was filed for record in the Register of Deeds Office on this ____ day of ____, 20__.

Project No: 046030

Jacque Roberts, Register of Deeds
Entered on transfer record this ____ day of ____, 20__

Tatum Stafford, Butler County Clerk