

EL DORADO

K A N S A S

PLANNING COMMISSION AGENDA

August 28, 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 - 7/24/25 MINUTES

3. NEW BUSINESS

ITEM NO. 1 - REZONE AND VARIANCE 229 N WASHINGTON

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

ITEM NO. 2 - RHID REVIEW 124 S MAIN

- A. Presentation
- B. Discussion by Planning Commission
- C. Motion

ITEM NO. 3 - FINAL PLAT EL DORADO HILLS BUSINESS PARK

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

4. OLD BUSINESS

ITEM NO. 1 - SPECIAL USE PERMIT - 294 SE BLUESTEM RD

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

5. STAFF ITEMS

1 - NEXT MEETING 9/25/25

6. ADJOURNMENT

EL DORADO

K A N S A S

PLANNING COMMISSION MINUTES-DRAFT

July 24, 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
L J Fischetti
Debra LaForge
Scott Leason
Austin Letts
Brad Long
Norman Wilks

Staff Present

Scott Rickard

Others Present

Mike and Melissa Carney
Charles Hanson
Frank & Cindy Hughes
Thomas Ludwick
Darren & Karis Schwindt
Dan Garber
Pat Thompson

2. APPROVAL OF MINUTES 5/22/25

3. NEW BUSINESS

ITEM NO. 1 – CASE NO. 25-04-SUP: PUBLIC HEARING FOR THE CONSIDERATION OF A REQUEST FOR A SPECIAL USE PERMIT TO ALLOW AN ACCESSORY APARTMENT AT 255 SE 20TH STREET.

A. Presentation of Request

Jennifer Milbourn has requested a Special Use Permit (SUP) to allow an accessory apartment on the property located at 255 SE 20th Street. The applicant plans to remodel the existing detached

garage into a one-bedroom apartment. The apartment will be provided with separate water and electric meters. The property currently has two occupied single-family homes.

Under the El Dorado Zoning Regulations, an accessory apartment is defined as “an accessory use residential unit that is detached from a principal single-family residential unit.” The subject property is zoned A-R (Agricultural Residential District), where the construction of an accessory apartment requires a Special Use Permit in compliance with Article 10 – Special Use Permits of the El Dorado Zoning Regulations.

This property falls within El Dorado’s Extraterritorial Jurisdiction (ETJ), meaning that while land use regulations and zoning fall under the City’s authority, Butler County retains jurisdiction over building permitting and inspections as outlined in the Interlocal Agreement between Butler County and the City of El Dorado. The City Planning Commission is responsible for zoning and land use decisions within the ETJ, while Butler County reviews and issues building permits for structures in this area.

Butler County gave this case a positive recommendation at their July 22, 2025, meeting.

B. Public Hearing

Chairman Letts opened the public hearing. As there was no one to speak, the public hearing was closed.

C. Discussion by Planning Commission

Commissioner Fellers inquired if the accessory apartment would use the same septic system as the primary structure. Mr. Rickard stated the septic system would have to meet Butler County’s requirements.

D. Motion

Commissioner Leason moved to recommend approval of Case No. 25-04-SUP, a request by Jennifer Milbourn, for a Special Use Permit to allow an accessory apartment on the property located at 255 SE 20th St., for the reasons outlined in the staff recommendation and heard at this public hearing, seconded by Commissioner LaForge.

ROLL CALL VOTE

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

Motion passed 8-0.

ITEM NO. 2 – PUBLIC HEARING TO CONSIDER ZONING ORDINANCE AMENDMENTS TO APPENDIX A – USES BY ZONING DISTRICT FOR PUBLIC ASSEMBLY VENUES BY SPECIAL USE PERMIT IN A-R AND R-S ZONING DISTRICTS.

A. Presentation of Request

Staff have received a request from a property owner located in the City’s Extraterritorial Jurisdiction (ETJ) to establish a wedding and event venue on land currently zoned A-R (Agricultural Residential District). The proposed use would involve a permanent facility for public gatherings, such as weddings, receptions, and other private events. While the A-R zoning district supports large lot residential and agricultural uses, it does not currently allow Public Assembly Venues as a permitted or special use.

This inquiry has prompted staff to review whether Public Assembly Venues should be permitted by Special Use Permit (SUP) in rural residential districts. While the original request was tied to a specific property and event concept, **the Planning Commission’s role is to evaluate zoning amendments based on broad applicability and long-term community impact—not just in response to a single project.** Zoning regulations must be consistently applied and reflect general land use policy, not be tailored to individual applicants.

Per the City’s Zoning Regulations, a Public Assembly Venue is defined as:

An establishment that primarily provides sufficient space and facilities for more than 20 people to congregate for a singular purpose or event. Typical uses include public or private auditoriums, houses of worship, meeting halls, community centers, performing arts theaters, and concert halls. Does not include motion picture theaters, sports arenas and stadiums, or conference rooms associated with businesses or offices. May include incidental concessions, gymnasiums, non-commercial kitchens, and offices.

Under current zoning:

- The use is permitted by right in the C-1 General Business District.
- It is allowed by Special Use Permit (SUP) in the R-1, R-2, R-3, C-2, and O-I districts.
- It is not permitted in A-R or R-S districts, which make up the majority of the City’s rural and fringe residential zoning.

Chairman Letts inquired why this use was not previously allowed under these zoning districts. Mr. Rickard stated he believes it was due to the City not having the ETJ in place at the time the regulations were written.

Commissioner LaForge inquired if there were any other special use permits for event venues. Mr. Rickard stated there were not. Commissioner LaForge questioned if the amendment would require someone to apply for the use. Mr. Rickard stated yes, an application for a SUP would be required. Commissioner LaForge confirmed the amendment change would not automatically approve the use. Mr. Rickard commented that staff are recommending SUP and not by right. Commissioner Leason commented that most ag ground does not have paved roads for access, and he is concerned about how approval will affect the area. Mr. Rickard stated that Bluestem

Rd. is a paved road and if there were gravel roads the townships would be notified. Commissioner Fischetti stated agricultural is taxed a lot less.

B. Public Hearing

Chairman Letts opened the public hearing. Charles Hanson inquired about the number of people that will be present at the events and the owners previously have had a party and there were people parking up & down Bluestem Rd. Mr. Rickard noted that no one has been granted an event venue and right now the discussion is for the zoning amendment. Mr. Hanson stated the building is already being built. The commissioners asked Mr. Hanson to speak on the next item regarding the actual special use permit.

Commissioner Wilks inquired if there are other applications that will benefit from the amendment. Mr. Rickard stated there are no other applications pending. Commissioner Wilks inquired if the enforcement would be through the county. Mr. Rickard stated it would be by the city.

Frank Hughes noted there is currently a venue to the south and other locations as well. Commissioner Fischetti inquired if they were also zoned agricultural. Mr. Rickard stated the county has the right to request a Special Use Permit also and this location is in the city jurisdiction while the others are not.

Melissa Carney stated they are in the process of building a new barn according to the codes to host their daughter's wedding. Commissioner Fischetti commented that different zoning districts require different building codes for the use of the building. Mrs. Carney stated they have been in contact with the county.

Commissioner LaForge clarified if they were proceeding with building the new barn regardless of whether the special use was approved. Mrs. Carney stated that they are building for their daughter's wedding. Commissioner Fischetti commented if this was denied they could request a rezone to commercial. Mr. Rickard stated if a commercial zone was requested it would be recommended to deny because of the effect on the neighbors and that is why special use is in place. Mr. Rickard commented that Commissioner Fischetti made a good point on codes. Mr. Rickard stated if this building was within the city limits the building official would be involved and a code footprint would be required.

Commissioner Leason commented that ag land should stay ag land.

C. Discussion by Planning Commission

Commissioner LaForge commented that she has no problem with the amendment if approval is by SUP and not by right. Mr. Rickard stated that is the recommended intent, and the amendment is to include the other zoning districts. Commissioner Letts commented just amending the two zoning districts. Mr. Rickard noted a special use can include conditions. Commissioner Long stated if the amendment requires a special use permit to build then he will approve. Commissioner Leason noted they are building now and proceeding regardless. Commissioner Fischetti commented that should be disregarded until the next item. Commissioner Fellers stated that gets into private property rights and what you can do on your own property, special use permits are looked at individually.

D. Motion

Commissioner Long moved to recommend approval of the proposed amendment to Appendix A of the Zoning Regulations to allow Public Assembly Venues by Special Use Permit in the A-R and R-S zoning districts, based on the findings and rationale presented in the staff report and as heard at this public hearing, seconded by Commissioner Fischetti.

ROLL CALL VOTE

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

Motion passed 7-1

ITEM NO. 3 – CASE NO. 25-05-SUP: PUBLIC HEARING FOR THE CONSIDERATION OF A REQUEST FOR A SPECIAL USE PERMIT TO ALLOW A PUBLIC ASSEMBLY VENUE AT 294 SE BLUESTEM RD.

A. Presentation of Request

Mike Carney has submitted a request for a Special Use Permit (SUP) to allow a Public Assembly Venue on property located at 294 SE Bluestem Rd, within the City of El Dorado’s A-R (Agricultural Residential District) and inside the Extraterritorial Jurisdiction (ETJ). The venue is proposed as a rural wedding and event facility, which will include a 130' x 40' metal structure with an interior kitchenette, two ADA-compliant restrooms, and a separate lagoon wastewater treatment system.

At the time of application, Public Assembly Venues are not a listed use in the A-R zoning district. However, a separate zoning text amendment to Appendix A – Listing of Uses by Zoning District is under concurrent consideration by the Planning Commission during this same meeting. If approved, the amendment will allow Public Assembly Venues in the A-R and R-S districts by Special Use Permit, subject to all procedural requirements of Article 10 of the Zoning Regulations and subsequent City Commission approval.

This property lies within the ETJ, which means the City retains zoning and land use jurisdiction, while Butler County is responsible for building permits, site inspections, wastewater permits, and construction code enforcement in accordance with the adopted Interlocal Agreement. The City Planning Commission serves as the decision-making body for zoning entitlements in the ETJ area, including SUPs.

Butler County gave this case a positive recommendation at their July 22, 2025, meeting.

One phone call was received from a neighbor across the road in favor of the request and an email from another neighbor in opposition.

B. Public Hearing

Chairman Letts opened the public hearing. Melissa Carney commented they did have a graduation party, and a few people were parking on Bluestem Road, and they did ask them to move onto the property. Commissioner LaForge inquired if they were already hosting events. Mrs. Carney stated it was a private event. Commissioner LaForge inquired if they were working with the county for permits. Mr. Carney stated they are. Commissioner Fischetti noted they can build a structure and use it for personal use. Mr. Rickard stated that the county has recommended approval.

Commissioner Long commented he went by the property and that there are not a lot of residential properties and inquired if the neighbors have been contacted. Mrs. Carney said they had. Commissioner Fischetti commented they have been doing cleanup and tearing down buildings. Commissioner Long inquired if they plan to host every weekend. Mrs. Carney stated yes, she would love to but doesn't think it is feasible. She has been in contact with local businesses, and they have expressed interest in having meetings and Christmas parties at the site which could also be held during the week.

Commissioner Long inquired about the occupancy rating. Mrs. Carney stated they believe the Fire Marshall determines the occupancy. Commissioner Fellers inquired if there would be enough parking on the property. Mrs. Carney stated there would be and they cleared more of the property. Mr. Carney commented he believes the people didn't know where to park before. Mrs. Carney noted they plan to have employees directing traffic. Commissioner Long inquired about lighting for the parking area. Mr. Carney stated they plan to go above what is required. Commissioner LaForge stated more lighting to keep things safe.

Mrs. Carney noted there is a home on the property. Commissioner LaForge inquired what would happen to the house. Mrs. Carney said they will leave the house, and it can be used for events, and it is currently vacant. Commissioner Fischetti inquired if a house can be rented out on agricultural land. Mr. Rickard stated this property is larger than 40 acres and that is allowed. Commissioner Leason inquired if the excellent water source would be protected. Mr. Carney noted it is very fresh, and it is very important to what they do, but doesn't believe there is anything they will need to do to protect it. Commissioner Fellers inquired if they were ranchers. Mr. Carney stated yes, they are.

Frank Hughes stated the land is over 100ac and they have livestock; he would be shocked if they did anything to their water quality. Mr. Hughes lives to the north, and he has no objection to the use. Thomas Ludewick lives to the east, the properties share a fence line, and he is not concerned about the use unless they want to branch out and offer trail rides or any expansion other than the event center.

Commissioner Letts inquired if the structure would be a commercial building. Mr. Rickard stated the city is only focused on the land use, not on the building or construction type and the building codes are enforced by the County.

Mr. Hanson requested clarification on the City's involvement and control of the special use request. Mr. Rickard stated that the City Commissions agreement is to support the ETJ and to continue the control of zoning. The justification is as communities grow and develop around the county there are different regulations that need met and being more diligent in planning on what the sphere around the city looks like if the city grows then we are more in line with the regulations.

Mr. Hanson commented if the city is involved in this area, then maybe they should help with the improvements of the road. Mr. Rickard stated that the County commission is also a part of the process, and they previously approved the request.

C. Discussion by Planning Commission

Commissioner LaForge noted approval would increase traffic on a narrow dark road and add additional light and noise to the property and is concerned about how things would be controlled with a couple of 100 people in attendance and if the venue was further off the road she would be more comfortable with it. Commissioner Wilks stated the concerns about noise and traffic could be conditions that can be controlled with the special use. Mr. Rickard commented that staff did not have any conditions, but they can be discussed. Commissioner Wilks inquired if there would be a time restriction if the use was in the city. Mr. Rickard stated, yes if the majority supported. Commissioner Fischetti inquired if the venue would carry a liquor license. Mrs. Carney stated they would not.

Commissioner Fischetti inquired if the special use would transfer with the sale of the property. Mr. Rickard stated if it ceased being an event venue for more than 6 months then the special use expires.

The Planning Commission discussed several possible conditions to place on the special use; Mr. Rickard suggested the item be tabled until August so staff can prepare a list of conditions. Commissioner LaForge inquired who would monitor whether the conditions are being followed. Commissioner Fellers commented they have to trust they will be until there is a problem. Mr. Rickard stated people in the area will report any nuisances and ultimately the city would have the ability to revoke the special use permit.

D. Motion

Commissioner Long moved to table Case No. 25-05-SUP, a request by Mike Carney, for a Special Use Permit to allow a Public Assembly Venue on the property located at 294 SE Bluestem Rd., until the August meeting seconded by Commissioner Wilks.

ITEM NO. 4 – CASE NO. 25-02-PLAT: CONSIDERATION OF EL DORADO HILLS BUSINESS PARK PRELIMINARY PLAT.

A. Presentation of Request

Garber Surveying Service, P.A., on behalf of Easy to Remember Development, LLC, has submitted a preliminary plat for the proposed El Dorado Hills Business Park. The plat subdivides one parent parcel into fourteen lots intended for commercial/light industrial development. The subject property is located in Section 04, Township 26 South, Range 5 East, on the north side of Towanda Avenue between Haverhill Road and Boyer Road. The property was annexed into the City in May 2024 and is zoned A-R (Agricultural Residential District).

Dan Garber with Garber Surveying, stated the owner acquired the property several years ago and the property is very busy with overhead electric lines, oil wells, pipelines, sewer lines, and an abandoned sewer lagoon. On the drainage plan instead of a large area for regional detention pond they have included areas where individual lots can utilize detention ponds. Mr. Garber noted there could be additional easements by the time the final plat is considered.

Commissioner Letts inquired when the improvements to the utilities would be made and what the cost to the taxpayers would be. Mr. Rickard stated the improvements will come later and there will be a special assessment improvement districts to cover the costs. Mr. Garber stated there is FEMA flood plain indicated on the property, and they have set aside larger areas to address that. Commissioner Long inquired if there are any abandoned wells on the property. Mr. Garber stated

he does not know the status. Mr. Rickard noted they will work with KCC to address the wells. Commissioner Long inquired about the proposed timeline. Mr. Garber stated as soon as the final plat is approved then the marketing to sell the lots could begin. Mr. Garber also stated the 400' radius easement around the wells could be lessened if they are not active.

B. Discussion by Planning Commission

Commissioner Letts commented the plat appears to be in order and they did their research for the area.

C. Motion

Commissioner LaForge moved to approve the preliminary plat for the El Dorado Hills Business Park as presented, subject to the conditions outlined in the staff recommendation, seconded by Commissioner Leason.

ROLL CALL VOTE

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

Motion passed 8-0

ITEM NO. 5 – CASE NO. 25-05-REZ: PUBLIC HEARING FOR THE CONSIDERATION OF A REQUEST TO REZONE EL DORADO HILLS BUSINESS PARK ADDITION FROM A-R (AGRICULTURAL RESIDENTIAL DISTRICT) TO C-1 (GENERAL BUSINESS DISTRICT), I-1 (LIGHT INDUSTRIAL DISTRICT) AND R-3 (MULTI-FAMILY DISTRICT).

A. Presentation of Request

Easy to Remember Development, LLC has submitted a rezoning application to rezone 14 proposed lots within the El Dorado Hills Business Park from A-R (Agricultural Residential District) to a combination of:

- C-1 (General Business District) for Lots 1, 11, 12, 13, and 14, Block 1
- I-1 (Light Industrial District) for Lots 2, 3, 4, and 5, Block 1
- R-3 (Multiple Family Dwelling District) for Lots 6, 7, 8, 9, and 10, Block 1

This rezone is contingent upon the recommendation of approval by the Planning Commission and subsequent approval of the preliminary and final plats by the City Commission. The subject property was annexed into the City of El Dorado in May 2024 and is located on the north side of Towanda Avenue between Haverhill Road and Boyer Road.

Commissioner Letts commented that the rezoning doesn't mean all the lots will be built on. Mr. Rickard stated not all the lots are buildable, some have flood plain and pipeline obstacles. Commissioner LaForge inquired if this plat is similar across to the South. Mr. Rickard stated the Cedar Ridge Estates whole subdivision, and the final plat of phase 1 is all conceived as residential.

B. Public Hearing

Chairman Letts opened the public hearing. Commissioner Fischetti confirmed notices were sent to the properties across the street.

Patrick Thompson inquired what was previously voted on and how much acreage was being developed. Chairman Letts stated it was the preliminary plat. Commissioner Fischetti noted the plat Mr. Thompson is referring to was approved months ago. Mr. Rickard stated the land from the creek to the east has been platted. The remaining land on the parcel has had a preliminary plat presented which shows the intent by the owner and has not been annexed. Mr. Rickard noted the property to the north is mixed zoning.

Darren and Karis Schwindt inquired if more information could be included in the notification mailings. Mr. Rickard stated the information was still incoming when mailings go out and the public hearings are held so everyone that has an interest can hear the same things, and the city always encourages people to call or stop in if they have questions. Commissioner Letts stated that the Planning Commission hears the cases at the same time as the public.

Mr. Schwindt commented on when they moved to the area 20 years ago, they lived in the country, and they were annexed to be on the city sewer system. Mr. Schwindt noted their area is different than everywhere else since they have 2 acres with big yards & sheds and he is concerned if industrial zoning is approved across the road, their house value will plummet, Mr. Schwindt also noted that he understands the city needs to grow but would prefer homes across from his not industrial use.

Commissioner Letts stated he grew up across from industrial land and their property has gained in value and has not been hindered.

Commissioner Fellers inquired if one of their objections is industrial zoning.

Darren Schwindt remarked if someone moves in that's what they are buying but they have been there, residential is what is preferred, and he inquired about the lot sizes if they are for one home or several. Commissioner Fischetti stated R-3 can be a mixture of homes. Mr. Rickard noted the developer could replat with lots & blocks. Mr. Garber commented that there are many obstacles on the property and not all of it can be built out. Chairman Letts inquired on industrial plants. Mr. Garber noted the zoning request is for light industrial.

Commissioner Fellers questioned why lot 5 was not considered to be zoned R-3. Mr. Garber stated there is a gas pipeline that cuts through the property and the owner wanted to keep the whole west end industrial.

Mrs. Schwindt inquired about the 400-foot radius around the oil wells. Mr. Garber noted he is unsure if they are active. Mr. Rickard stated if the property is rezoned any new oil wells will only be allowed in the industrial areas and not in the residential zoning. Once the final plat zoning is in place, the entity that has oil rights can't drill a new well in R-3 but could in light industrial with special use approval.

Mrs. Schwindt questioned what obstacles on the plat are being referring to. Mr. Rickard stated pipeline right-of-way, floodplain, electrical, and oil wells.

Mrs. Schwindt inquired what R-3 zoning means. Mr. Rickard stated it an apartment complex or a single-family home could be built. Mrs. Schwindt inquired if there are height limits and how many floors could be built. Mr. Rickard said yes there are restrictions on building heights, the size of the building based on the size of the lot and the land itself has encumbrances that will restrict buildable areas.

Mrs. Schwindt inquired if the properties will have separate entrances. Mr. Garber stated yes, they would. Mr. Schwindt inquired if there are plans for the flood plain areas. Mr. Garber stated he does not believe there is. Commissioner Long commented that if the trees are cleared Walmart will be visible. Mr. Garber confirmed it would be, but he does not believe there is a plan to remove the trees along the flood plain.

Mr. Rickard commented that the request for light industrial means all work is indoors, no outside work, no noise or pollution.

Mr. Thompson inquired about road improvements. Mr. Rickard stated the City Commission will consider creating an improvement district and they have been looking at policies to change collector roads with more burden and extra width & depth to be city at large costs. Mr. Thompson inquired if property owners didn't want a new road. Mr. Rickard stated the entire road is in city jurisdiction and taking on more roadways is a burden. Chairman Letts commented they have discussed the Towanda Avenue future road improvements before. Mr. Rickard stated it is in the CIP. Chairman Letts commented he has no doubt the road would be taken care of by city. Mr. Thompson inquired how much the homeowners would be responsible for paying. Mr. Rickard commented that ultimately it is up to the City Commission and any landowner that is subject to consideration of being assessed for improvements there is a public hearing, public notice and estimated assessments. Mr. Schwindt commented they like the acreage and being in the country and he is asking the commission what can be done to approve the plat and still show that they care for the people that live here and remove some of the industrial and make them residential or leave as grass and can they leave the trees and make one or two access roads into the residential areas instead of several entrances off of Towanda.

C. Discussion by Planning Commission

Commissioner Wilks inquired about how we prevent residential properties that don't develop from changing and becoming commercial. Mr. Rickard stated it is based on the recommendation by the Planning Commission and City Commission. Chairman Letts any rezones come back to the Planning Commission. Commissioner Wilks understands the concerns of the industrial area on the corner and the rest will be zoned as residential.

Commissioner LaForge noted they have previously changed the zoning on some property on 6th Avenue a couple of times and they could have recommended denial.

Commissioner Fischetti inquired about the easement width of the pipeline. Mr. Garber noted it will be indicated on the final plat.

Commissioner Fischetti, Commissioner Fellers and Commissioner Long agree that lot 5 has the biggest concern being zoned industrial across from established residential properties. The Planning Commissioners discussed other locations where industrial and residential zonings are mixed.

Commissioner Lettes inquired if the plat could be approved except for lot 5. Mr. Rickard stated the Planning Commission can make recommendations to change the zoning to residential or that require a buffer to be provided.

Commissioner Fischetti recommended that lot 5 have a hedge row.

Mr. Garber commented they could put restrictive conservation on lot 5

Mr. Rickard stated a reserve, conservation area or buffer would be on the final plat as long as the commission is comfortable with that recommendation and it being zoned I-1.

Commissioner Wilks commented those options gives the neighbors protection.

D. Motion

Commissioner Leason moved to recommend approval of Case No. 25-05-REZ, an application by Easy to Remember Development, LLC, to rezone Lots 1, 11, 12, 13, and 14, Block 1, of El Dorado Hills Business Park to C-1 (General Business District); Lots 2, 3, 4, and 5, Block 1, to I-1 (Light Industrial District); and Lots 6, 7, 8, 9, and 10, Block 1, to R-3 (Multiple Family Dwelling District), contingent upon final plat approval by the City Commission, seconded by Commissioner Wilks.

ROLL CALL VOTE

Commissioner Barnaby	Y
Commissioner Fellers	Y
Commissioner Fischetti	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** – August meeting a contingent rezone and the tabled SUP.

6. **ADJOURNMENT**

The meeting was adjourned at 7:36pm.

PLANNING COMMISSION MEMORANDUM

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

Background

Scribner Enterprises, LLC, has submitted two related land use applications for the property at 229 N Washington:

1. **Zone Change Request** – From R-1 Low Density Residential District to R-2 Residential Medium-Density District, to permit conversion of the existing single-family dwelling into a duplex.
2. **Variance Request** – Reduction of the off-street parking requirement for a duplex, allowing on-street parking along N Washington Avenue to satisfy the property's parking needs.

The property is developed with a two-story home constructed in 1875 and currently rented as a single-family residence. The surrounding neighborhood is predominantly residential, with R-3 zoning to the east and R-1 zoning to the north, west, and south.

The rezoning request, if approved, will be forwarded to the City Commission for final action. The parking variance request is under the sole authority of the Planning Commission, which now serves as the City's Board of Zoning Appeals (BZA) following recent ordinance amendments.

Rezoning Request – R-1 to R-2

In accordance with Section 13.2 of the El Dorado Zoning Regulations, the Planning Commission must consider the following factors when reviewing a zoning map amendment:

1. Character of the Neighborhood

The surrounding area exhibits a mix of residential densities. R-3 zoning to the east supports multifamily development, while R-1 zoning to the north, west, and south maintains a single-family character. The introduction of a duplex within this block will maintain compatibility with existing residential uses and provide a logical, gradual transition between lower and higher densities.

2. Consistency with the Comprehensive Plan

The Future Land Use Map (FLUM) designates this parcel as Neighborhood Mixed Use. This classification encourages a mix of residential building types and limited neighborhood-serving commercial uses, often serving as a buffer between more intense and less intense areas. The R-2 classification supports this vision by introducing additional housing choice while preserving neighborhood scale and form.

3. Adequacy of Public Utilities and Services

The property has access to all municipal utilities, including water, sanitary sewer, electric, and gas. No public infrastructure upgrades are required to support the proposed use.

4. Suitability of the Property's Current Zoning

R-1 zoning is among the most restrictive residential categories, permitting only single-family dwellings and select institutional uses. Given the surrounding R-2 and R-3 zoning, the subject property is well-suited for R-2 use, providing a compatible increase in density consistent with surrounding development patterns.

5. Length of Time as Zoned

The home has been continuously used as a residence since its construction in 1875.

6. Compatibility of the Proposed Zoning with Nearby Properties

The R-2 district is compatible with nearby residential districts and offers a logical transition from the more intense R-3 uses to the east to the less intense R-1 uses to the north, west, and south.

7. Potential Detrimental Effects on Nearby Properties

The duplex use is not expected to negatively impact neighboring properties. Off-street parking needs will be addressed through the associated variance request, ensuring no spillover impacts to surrounding lots.

8. Relative Loss or Gain

The rezoning provides a public gain through additional housing opportunities without imposing a disproportionate loss on surrounding property owners.

Variance Request – Reduction of Off-Street Parking Requirement

Under the Zoning Regulations and K.S.A. 12-759, the Planning Commission, sitting as the Board of Zoning Appeals, has the authority to grant variances. The applicant seeks a reduction from the off-street parking requirements for a duplex, proposing that on-street parking adjacent to the property be recognized toward meeting the requirement.

Statutory Criteria for Granting a Variance

The Commission must make all five of the following findings based on factual evidence presented by the applicant:

1. **Unnecessary Hardship** – The strict application of the parking requirement would cause an unnecessary hardship due to unique conditions of the property (e.g., lot size, existing building placement) that were not created by the applicant.
2. **No Adverse Effect on Adjacent Property Owners** – Granting the variance will not impair the rights of neighbors to enjoy their property.
3. **Spirit and Intent** – The variance is consistent with the spirit and intent of the zoning regulations and the Comprehensive Plan.
4. **No Public Detriment** – Granting the variance will not harm public health, safety, or welfare.
5. **Minimum Necessary** – The requested relief is the least modification necessary to address the hardship.

The applicant bears the **burden of proof** to demonstrate that each criterion is met

Relationship Between Rezoning and Variance

The variance is contingent upon approval of the rezoning request. If the rezoning is denied, the variance request becomes moot. However, if the rezoning is approved by the City Commission, the variance decision made by the Planning Commission at this hearing will take immediate effect, provided all conditions are met.

Suggested Motions

Rezoning Motion

I move to recommend approval of Case No. 25-06-REZ, an application by Scribner Enterprises, to rezone 229 N Washington from R-1 Low Density Residential District to R-2 Residential Medium-Density District, for reasons stated in the staff recommendation and heard at this public hearing.


Variance Motion

I move to approve the variance request for 229 N Washington to allow on-street parking to satisfy the off-street parking requirement for a duplex, finding that the application meets the five statutory conditions for granting a variance as outlined in Article 8 of the Zoning Regulations, and that such variance shall be contingent upon the approval and establishment of R-2 zoning for the property.




Legend


 Subject Property


 200' Buffer

Zoning 2025


Zone

 C-1

 C-2

 R-1

 R-2

 R-3

N DENVER ST

N TAYLOR ST

N WASHINGTON ST

N GORDY ST

W 3RD AVE

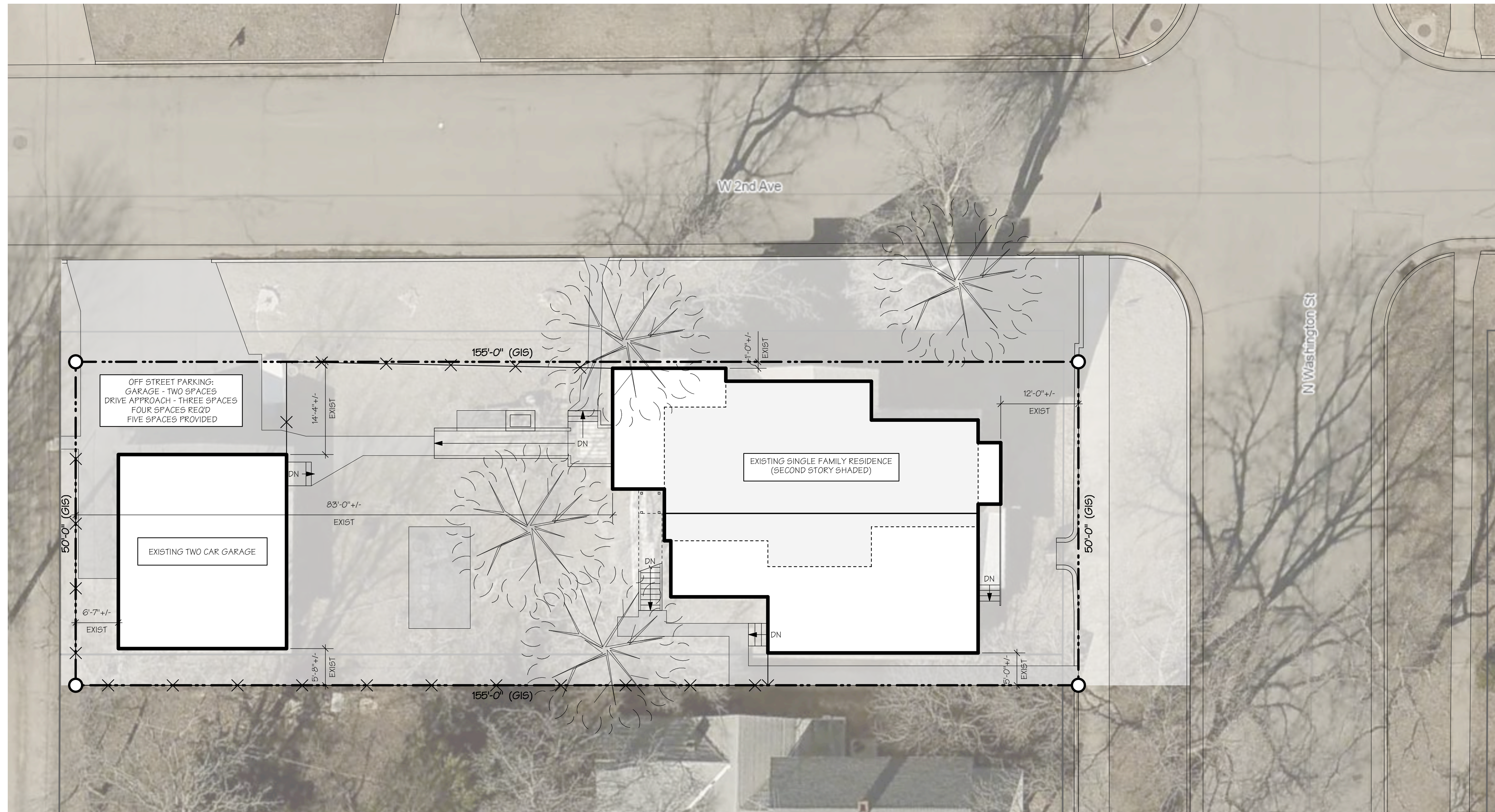
W 2ND AVE

W 1ST AVE

W AR ST

200' Buffer

SUBJECT PROPERTY



SITE PLAN
Scale: 1" = 10'-0"

SITE DATA

APPLICANT: SCRIBNER ENTERPRISES
PHONE: 316-285-0682
ADDRESS: PO BOX 269, EL DORADO, KANSAS
ZIP CODE: 67042

OWNER: SCRIBNER ENTERPRISES
PHONE: 316-285-0682
ADDRESS: PO BOX 269, EL DORADO, KANSAS
ZIP CODE: 67042

LOCATION OF PROPERTY: 229 N WASHINGTON STREET - SW CORNER OF NORTH WASHINGTON STREET & W 2ND AVENUE - EL DORADO

LEGAL DESCRIPTION: LOWER'S ADDITION TO EL DORADO, SECTION 02, TOWNSHIP 26, RANGE 05E, WASHINGTON STREET LOT 23

PRESENT ZONING: R-1 RESIDENTIAL - LOW DENSITY DISTRICT

REQUESTED ZONING: R-2 RESIDENTIAL - MEDIUM DENSITY DISTRICT

PRESENT USE OF PROPERTY: SINGLE FAMILY RESIDENTIAL

SURROUNDING LAND USE AND ZONING:

	LAND USE	ZONING
NORTH	SINGLE FAMILY	R-1
SOUTH	SINGLE FAMILY	R-1
EAST	SINGLE FAMILY	R-3
WEST	SINGLE FAMILY	R-1



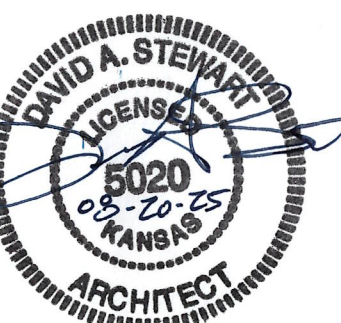
LOCATION MAP
Scale: 1" = 100'-0"

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GRAVITYWORKS
ARCHITECTURE

101 S. Star Street, El Dorado, KS 67042
phone (316) 521 - 4774
www.gravityworks-architecture.com

DUPLEX CONVERSION
SCRIBNER ENTERPRISES
229 N. Washington St.
El Dorado, Kansas



ISSUE
PRELIMINARY
NOT FOR
CONSTRUCTION

DATE
August 20, 2025
PROJECT NUMBER
25-1508

SHEET
SP1.1

PLANNING COMMISSION MEMORANDUM

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

Background

The 124 S. Main property, historically known as the Masonic Hall, is a three-story brick structure in the heart of downtown El Dorado. While currently vacant, it remains one of the most visible and historically significant buildings downtown. Despite its prime location, the high cost of redevelopment—particularly for upper-story residential use—has posed significant financial barriers for private investment.

The City has actively pursued redevelopment of this property through multiple initiatives:

- October 3, 2023 – City Commission approved submittal of a Moderate Income Housing (MIH) grant application to Kansas Housing Resources Corporation (KHRC).
- October 17, 2024 – City Commission approved a resolution of intent to establish a Reinvestment Housing Incentive District (RHID) and support the issuance of Industrial Revenue Bonds (IRBs) for sales tax exemption.
- February 27, 2025 – KHRC awarded the City a \$650,000 MIH grant to support eligible housing costs.
- June 23, 2025 – City Commission authorized execution of the MIH grant agreement (Project No. 24-0406-SGF).

The Kansas Secretary of Commerce has confirmed that the project meets the statutory eligibility requirements for RHID designation, including building age and location within a central business district.

RHID Overview

The RHID program, authorized under K.S.A. 12-5241 et seq., allows cities to capture the incremental increase in property taxes resulting from improvements to eligible residential property. These incremental revenues are then reimbursed to the developer over a set period to help offset certain project costs.

For 124 S. Main, RHID assistance would address a funding gap related to:

- Interior demolition and abatement of outdated building systems
- Construction of 13 income-restricted rental units on the 2nd and 3rd floors
- Fire suppression system installation and elevator for code compliance
- Exterior stabilization and energy-efficiency upgrades
- Code-required access improvements and building separation for mixed-use occupancy

No City general funds will be contributed. The RHID would only utilize the incremental property tax revenues above the existing base valuation.

Comprehensive Plan Consistency

Staff has reviewed the RHID proposal and finds it consistent with the City's Comprehensive Plan in several key areas:

- Goal 1 – Land Use, Infrastructure and Growth: Encourages development patterns that maximize public benefit while promoting orderly and sensible growth (Objective 1.1, Strategies

1.1.1 and 1.1.3). The redevelopment of a key downtown building aligns with the plan's direction to use the Comprehensive Plan as a guiding policy document and to coordinate with the development community to ensure compatibility with long-term goals.

- Goal 3 – Economic Development: Supports revitalization of downtown El Dorado through reuse of vacant or underutilized structures, contributing to a stronger mix of retail, service, and residential uses (Objectives 3.3 and 3.4). The project leverages state and local incentives to stimulate economic activity in the core business district.
- Goal 4 – Housing: Directly addresses Objectives 4.1, 4.2, and 4.4 by revitalizing existing residential areas, increasing quality rental housing options, and improving housing choices for underserved populations. Strategies 4.1.3 and 4.2.1 emphasize redevelopment tools and proactive maintenance, which this project supports through incentive-based reinvestment.
- Goal 7 – Historic Preservation: Advances Objective 7.1 by preserving and adaptively reusing a historically significant downtown structure. This aligns with Strategy 7.1.2 to create and leverage incentive programs for the protection of historic structures and Strategy 7.1.4 to enforce codes preventing deterioration.

By addressing these goals, the proposed RHID supports a balanced approach to housing, economic vitality, and historic preservation in the downtown area, consistent with the City's long-term vision.

Planning Commission Role

Under Kansas law, the Planning Commission must review the proposed district and make a finding as to whether it is consistent with the City's Comprehensive Plan. This recommendation will be forwarded to the City Commission for consideration in the formal RHID creation process.

Recommended Action:

Find that the proposed RHID for 124 S. Main is consistent with the Comprehensive Plan and recommend that the City Commission proceed with the statutory process to establish the district.

Motion:

"I move to find that the proposed Reinvestment Housing Incentive District for 124 S. Main is consistent with the goals, objectives, and strategies of the City of El Dorado Comprehensive Plan, including Goals 1, 3, 4, and 7, and to recommend that the City Commission proceed with the statutory process to establish the district in accordance with K.S.A. 12-5241 et seq."

PLANNING COMMISSION MEMORANDUM

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

Garber Surveying Service, P.A., on behalf of Easy to Remember Development, LLC, has submitted a final plat for the El Dorado Hills Business Park. The plat subdivides one parent parcel into fourteen lots intended for commercial and light industrial development. The subject property is in Section 04, Township 26 South, Range 5 East, on the north side of Towanda Avenue between Haverhill Road and Boyer Road.

The property was annexed into the City in May 2024 and is zoned A-R (Agricultural Residential District). Concurrent with the platting process, the applicant has submitted a rezoning request to allow C-1 (General Business), I-1 (Light Industrial), and R-3 (Multi-Family Residential) zoning across various lots. Approval of the final plat will be contingent upon approval of the associated rezoning request by the City Commission.

The purpose of this memo is to evaluate the final plat for conformance with the City's Subdivision Regulations, Zoning Regulations, and Comprehensive Plan, confirm that all conditions from the preliminary plat review have been addressed, and highlight changes made since preliminary approval.

PLAT COMPONENTS & COMPLIANCE

Staff has reviewed the final plat for compliance with the requirements in the Subdivision Regulations, including the Final Plat Checklist. Staff finds:

- The plat includes the correct subdivision name, legal description, scale, north arrow, and preparation date.
- Ownership, subdivider, and surveyor are clearly identified.
- Final lot boundaries, dimensions, street rights-of-way, easements, and building setback lines are shown as required.
- All lots meet minimum width and depth standards and are suitable for development under their intended zoning.
- All required dedications for public rights-of-way and utility easements are clearly noted on the plat.

CHANGES FROM PRELIMINARY PLAT

Several refinements were made to the plat between the preliminary and final stages, including:

- Addition of new utility easements to improve service access and accommodate infrastructure extensions.
- Reduction in the oil well easement radius to maximize developable lot area while maintaining required safety and access clearances.
- Addition of a buffer reserve on Lot 5 along Towanda Avenue to provide screening between planned light industrial uses within the business park and the existing residential neighborhood located south of Towanda Avenue. This buffer will help mitigate visual and noise impacts and is consistent with the City's buffering and transition standards.
- Minor adjustments to drainage easements to align with finalized engineering design.

LOT LAYOUT & DESIGN

- Fourteen lots are arranged in a cul-de-sac configuration with two points of access: Towanda Avenue and Boyer Road.
- Lot sizes range from approximately 2.0 acres to 30.7 acres, accommodating a variety of commercial and light industrial uses.
- Larger tracts may be subdivided in the future, subject to site plan review and potential infrastructure upgrades.

COMPREHENSIVE PLAN ALIGNMENT

The Comprehensive Plan identifies this area as a targeted employment and business growth corridor. The plat supports these goals by:

- Creating shovel-ready lots to attract new commercial and light industrial investment.
- Facilitating utility extensions to underutilized parcels.
- Encouraging orderly, phased development consistent with the City's land use and infrastructure objectives.
- Incorporating buffer and screening measures where higher intensity uses interface with established neighborhoods, in line with the Plan's compatibility and transition policies.

RECOMMENDATION

Staff finds the final plat for El Dorado Hills Business Park to be in conformance with the City's Subdivision Regulations, addresses all conditions from the preliminary plat, and incorporates additional measures to ensure compatibility with surrounding land uses.

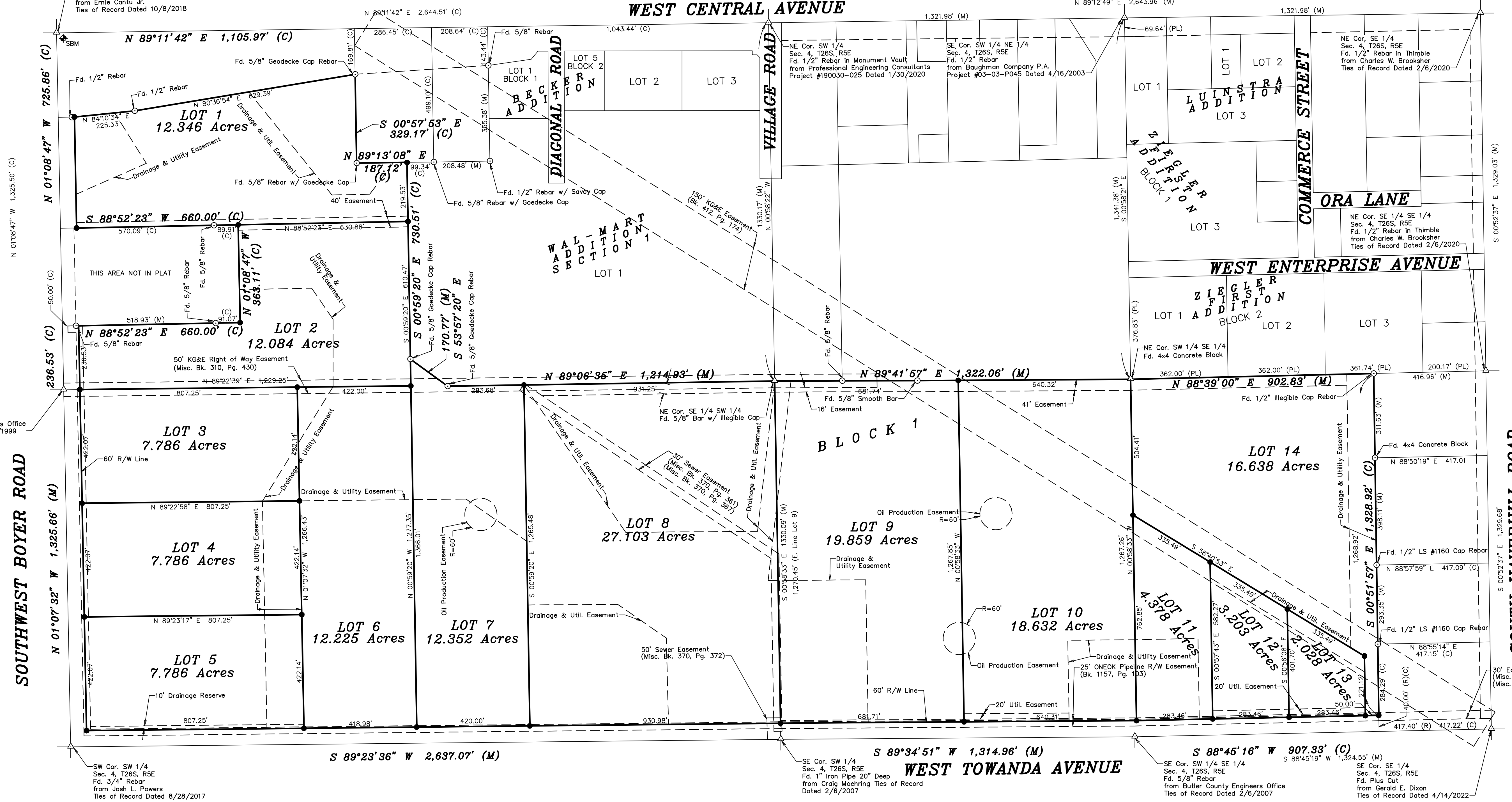
SUGGESTED MOTION

"I move to approve the final plat for the El Dorado Hills Business Park as presented, finding that it meets the requirements of the City's Subdivision Regulations, incorporates the changes and conditions from the preliminary plat, and is subject to the associated rezoning request receiving final approval from the City Commission."

FINAL PLAT

EL DORADO HILLS BUSINESS PARK

A PORTION OF THE SOUTH HALF OF SECTION 4,
TOWNSHIP 26 SOUTH, RANGE 5 EAST OF THE 6TH PRINCIPAL MERIDIAN, IN THE CITY OF EL DORADO, BUTLER COUNTY, KANSAS.



NW Cor. SW 1/4 SW 1/4 Sec. 4, T26S, R5E
Fd. #6" Bar in Asphalt
from Butler County Engineers Office
Ties of Record Dated 3/24/1999

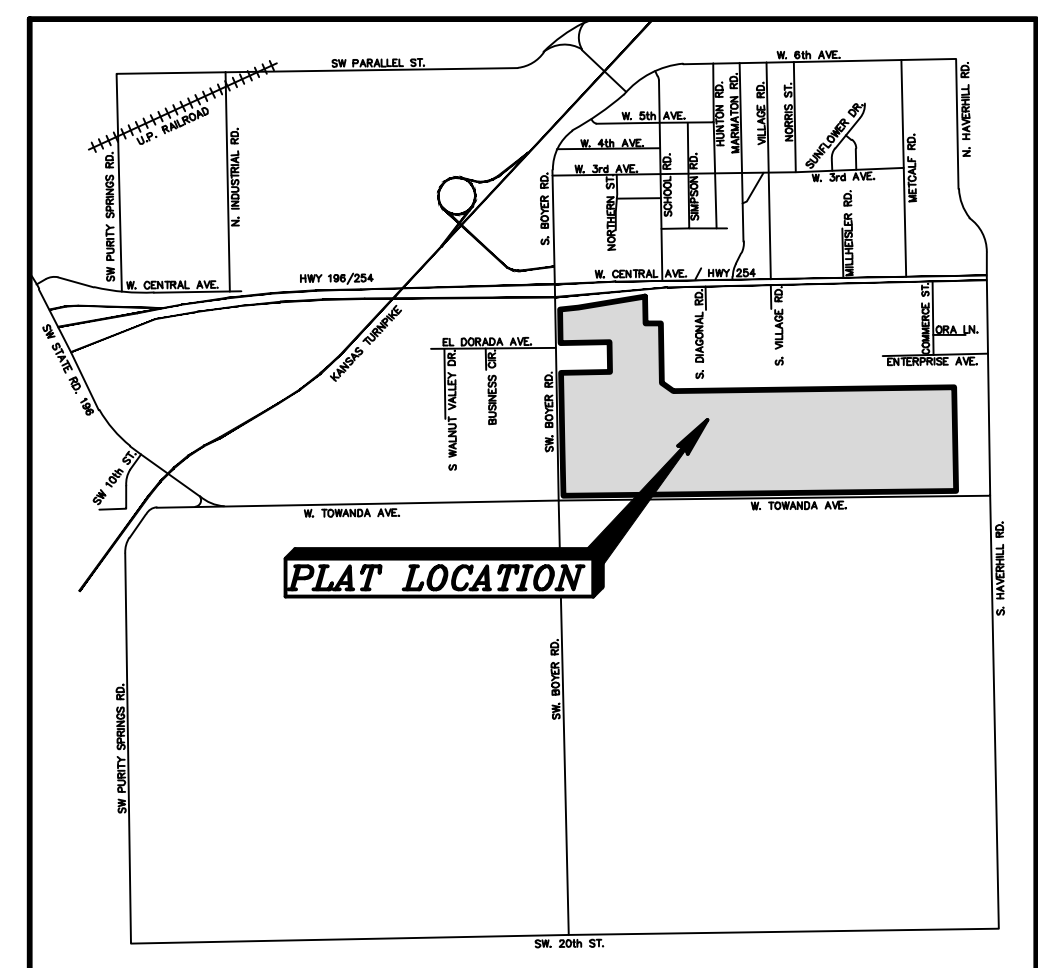
SW Cor. SW 1/4 Sec. 4, T26S, R5E
Fd. 3/4" Rebar
from Josh L. Powers
Ties of Record Dated 8/28/2017

SE Cor. SW 1/4 Sec. 4, T26S, R5E
Fd. 1" Iron Pipe 20" Deep
from Craig Moehring Ties of Record
Dated 2/6/2007

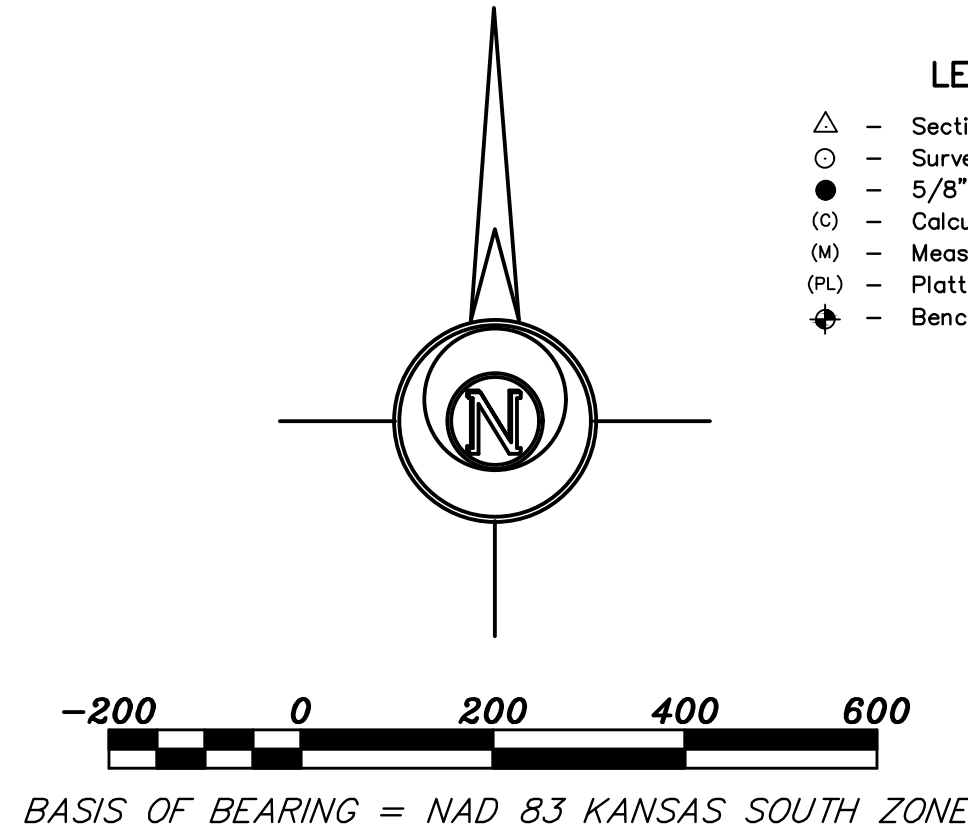
SE Cor. SW 1/4 SE 1/4 Sec. 4, T26S, R5E
Fd. 5/8" Rebar
from Butler County Engineers Office
Ties of Record Dated 2/6/2007

SE Cor. SE 1/4 Sec. 4, T26S, R5E
Fd. Plus Cut
from Gerald E. Dixon
Ties of Record Dated 4/14/2022

Block 1 Closure Table	Lot 1 Closure Table	Lot 2 Closure Table	Lot 3 Closure Table
NORTHING: -0.00944 EASTING: -0.00427 PRECISION: 15,458.66/0.0104 = 1:1486409.62	NORTHING: 0.00046 EASTING: -0.00076 PRECISION: 3,433.68/0.0009 = 1:3815188.89	NORTHING: -0.00582 EASTING: -0.00068 PRECISION: 3,670.16/0.0004 = 1:622059.32	NORTHING: 0.00437 EASTING: 0.00057 PRECISION: 3,670.16/0.0004 = 1:558797.73
Lot 4 Closure Table	Lot 5 Closure Table	Lot 6 Closure Table	Lot 7 Closure Table
NORTHING: 0.00437 EASTING: 0.00058 PRECISION: 2,458.72/0.0044 = 1:558797.73	NORTHING: 0.00437 EASTING: 0.00058 PRECISION: 2,458.72/0.0044 = 1:558797.73	NORTHING: -0.00713 EASTING: 0.00005 PRECISION: 3,373.33/0.0071 = 1:475200.00	NORTHING: -0.00760 EASTING: 0.00223 PRECISION: 3,505.94/0.0049 = 1:443791.14
Lot 8 Closure Table	Lot 9 Closure Table	Lot 10 Closure Table	Lot 11 Closure Table
NORTHING: -0.00240 EASTING: 0.00059 PRECISION: 4,648.58/0.0070 = 1:664084.29	NORTHING: 0.00048 EASTING: 0.00582 PRECISION: 3,650.09/0.0058 = 1:629325.86	NORTHING: -0.00293 EASTING: 0.00411 PRECISION: 3,815.74/0.0050 = 1:763148.00	NORTHING: 0.00319 EASTING: -0.00379 PRECISION: 1,964.08/0.0049 = 1:400830.61
Lot 12 Closure Table	Lot 13 Closure Table	Lot 14 Closure Table	
NORTHING: -0.00675 EASTING: -0.00371 PRECISION: 1,602.92/0.0077 = 1:208171.43	NORTHING: 0.00346 EASTING: -0.00478 PRECISION: 1,241.77/0.0059 = 1:210468.49	NORTHING: -0.00201 EASTING: 0.01686 PRECISION: 3,953.75/0.0169 = 1:233949.70	



BUTLER COUNTY, KANSAS
VICINITY MAP
(NOT TO SCALE)



- LEGEND**
- △ - Sectional Monument Found
 - - Survey Monument Found
 - - 5/8" x 24" Iron Rebar Set w/G.S.S. Cap
 - (C) - Calculated
 - (M) - Measured
 - (PL) - Platted
 - ◆ - Benchmark

BENCHMARK:
SBM: Plus Cut in red concrete median ±20.7 feet South and ±24.9 feet East of the Northwest Corner of the Southwest Quarter of Section 4, Township 26, Range 5 East of the 6th Principal Meridian in the City of El Dorado, Butler County, Kansas.
Elevation=1340.40 (NAVD88)

MASTER DRAINAGE PLAN:
A master drainage plan has been developed for this plat. All drainage easements, rights-of-way, and reserves shall remain at established grades (unless modified with the approval of the applicable City or County Engineer) and shall be unobstructed to allow for the conveyance of stormwater in accordance with the Stormwater Manual. The maintenance of all drainageways and drainage facilities in backyard drainage easements and reserves shall be the responsibility of the property owner and shall be enforced by the Homeowners Association and be provided for in the Homeowners Association covenants.

FINAL PLAT		Description: EL DORADO HILLS BUSINESS PARK	
Prepared By: GSS HUTCHINSON		Garber Surveying Service, P.A.	
2908 North Plum St. 67502 Ph. 620-665-7032 (Main Office)		BRANCH OFFICES: MCPHERSON Ph. 620-241-4441 SALINA Ph. 785-404-6302 MANHATTAN Ph. 785-320-4810 NEWTON Ph. 316-283-5053 WICHITA Ph. 316-260-9933	
Drawn By: CDS	Scale: 1"=200'	Date of Field Work: July 21, 2023	Job No:
Checked By: DEG	Date: 08/20/2025	Sheet 1 of 2 Sheets	G2023-334

PLANNING COMMISSION MEMORANDUM

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

BACKGROUND

Mike Carney has submitted a request for a Special Use Permit (SUP) to allow a Public Assembly Venue on property located at 294 SE Bluestem Rd., within the City of El Dorado's A-R (Agricultural Residential District) and inside the Extraterritorial Jurisdiction (ETJ). The venue is proposed as a rural wedding and event facility, which will include a 130' x 40' metal structure with an interior kitchenette, two ADA-compliant restrooms, and a separate lagoon wastewater treatment system.

This property lies within the ETJ, meaning the City retains zoning and land use jurisdiction, while Butler County is responsible for building permits, site inspections, wastewater permits, and construction code enforcement under the adopted Interlocal Agreement. The City Planning Commission serves as the decision-making body for zoning entitlements in the ETJ area, including SUPs.

This request was originally heard at the July 24, 2025 Planning Commission public hearing. Following discussion and public comment, the Planning Commission voted to table the item to allow staff and the applicant to review potential conditions in greater detail. Since that meeting, staff has met with the applicant to review each topic raised during the hearing, clarify expectations, and develop a comprehensive list of recommended conditions intended to address compatibility, operational impacts, and regulatory compliance.

EVALUATION CRITERIA & STAFF FINDINGS

The request was evaluated under Section 10.3 of the El Dorado Zoning Regulations, which outlines the standards for granting Special Use Permits. Staff findings for each criterion remain as originally presented:

A. Location, Size, and Intensity of Use

The proposed facility is appropriately scaled for the size of the parcel. The building will be centrally located with ample setbacks on all sides. The nature of the use—hosting periodic events such as weddings—presents a low to moderate intensity of use that is intermittent rather than continuous. The surrounding area is primarily large-acre residential and agricultural, which limits potential for conflict.

B. Accessibility, Traffic Flow, and Municipal Services

Access is provided via SE Bluestem Rd, a paved collector roadway capable of accommodating low-volume traffic typical of event-based land uses. No new public infrastructure is required. The location is accessible for fire, police, and EMS, and there is sufficient frontage and internal area to accommodate guest parking and event circulation. No adverse traffic impacts are anticipated due to the site's rural setting and the limited frequency of use.

C. Utilities and Services

- Water: Available and already extended to the site.
- Electricity: Available and will be extended as part of the building installation.
- Sewer: A private lagoon system is proposed, subject to Butler County Environmental Health review and permitting.
- Stormwater: The rural nature of the property and low building-to-lot ratio will accommodate runoff without off-site drainage impacts. Compliance with County regulations will be required.

D. Structures, Buffers, and Visual Compatibility

The proposed building is consistent in height and scale with typical agricultural structures. No fences,

walls, or new accessory structures are proposed at this time. Given the distance from nearby residences and the open character of the surrounding land, no buffering or screening is required under current zoning standards. The applicant has expressed willingness to add landscaping or other treatments if needed during final design review.

E. Yard, Open Space, and Sign Requirements

The building footprint complies with minimum setbacks and yard requirements in the A-R district. No signage is requested at this time; any future signage must comply with dimensional and placement regulations. Butler County will verify final site conformance during building permit review.

F. Compatibility and General Welfare

The intermittent and low-density nature of the use ensures compatibility with surrounding agricultural and residential properties. Noise, traffic, and activity levels associated with wedding venues are periodic and can be managed through specific SUP conditions. The proposed use supports the economic viability of rural parcels and contributes to diversified land use without disrupting surrounding landowners' reasonable expectations of quiet enjoyment.

STAFF RECOMMENDED CONDITIONS

Based on public hearing discussion on July 24, 2025, and subsequent staff–applicant review, the following comprehensive conditions are recommended:

1. Hours of Operation

1. Events must conclude by 12:00 AM, with all music and amplified sound ending at 11:00 PM on Friday and Saturday, and 9:00 PM Sunday through Thursday.
2. Venue cleanup and guest departure must be completed by midnight.

2. Noise Control

1. Amplified music or sound systems must be directed inward toward the property and away from nearby residences, particularly to the west.
2. No outdoor amplified music is permitted after midnight.
3. The applicant shall monitor sound levels to ensure compliance with nuisance and noise ordinances.

3. Lighting

1. All exterior lighting must be shielded, downward-facing, and designed to prevent glare or light spillover onto neighboring properties.
2. Event lighting shall be turned off by midnight, except for low-intensity safety or security lighting.

4. Parking and Circulation

1. Adequate on-site parking must be provided based on maximum facility occupancy.
2. On-street or off-site parking along SE Bluestem Road or on adjacent properties is prohibited.
3. Parking attendants or directional signage must be provided during events to ensure orderly circulation.
4. The driveway entrance must be maintained to prevent mud, gravel, or debris from tracking onto public roads.
5. Vehicular access is limited to SE Bluestem Road; all access points must remain unobstructed during events.

5. Occupancy and Safety Limits

1. Attendance shall not exceed the occupancy limit established by the permitting authority.
2. The facility must comply with ADA requirements, fire codes, and emergency access standards.

6. Waste Management and Sanitation

1. All trash and event waste must be removed from the site the same evening as the event.
2. The lagoon wastewater system must remain in compliance with Butler County Environmental Health regulations and be properly maintained.

7. Signage

1. No illuminated signage is permitted.

8. Change of Use or Expansion

1. Any change to use, building size, site layout, or event frequency requires Planning Commission review and possible SUP amendment.

9. Annual Compliance Review

1. The City reserves the right to conduct annual compliance reviews. Non-compliance may result in permit revocation under Article 10.6 of the Zoning Regulations.

SUGGESTED MOTION

Approval:

"I move to recommend approval of Case No. 25-05-SUP, a request by Mike Carney for a Special Use Permit to allow a Public Assembly Venue at 294 SE Bluestem Rd., subject to the conditions within the staff memo"

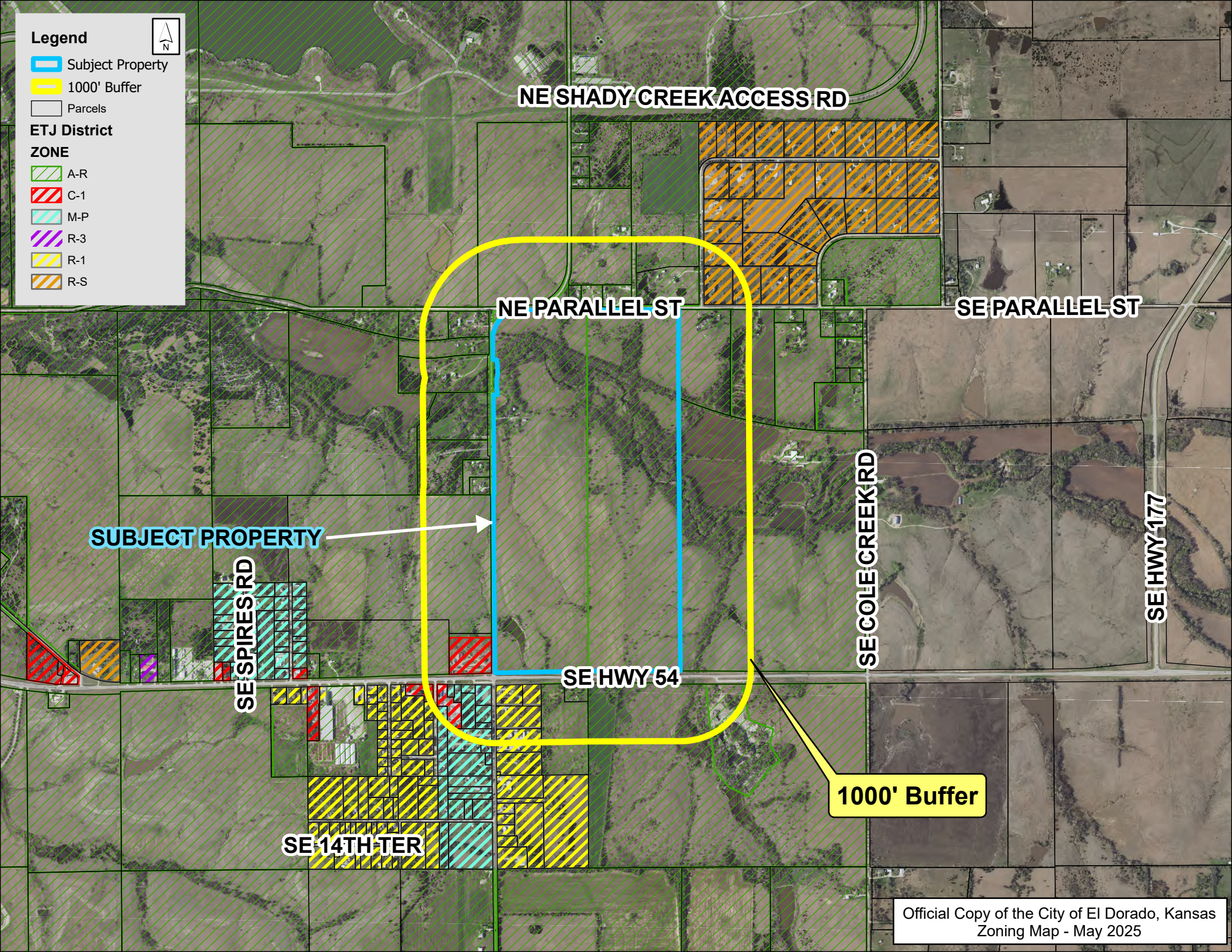
Denial:

"I move to recommend denial of Case No. 25-05-SUP, a request by Mike Carney for a Special Use Permit to allow a Public Assembly Venue at 294 SE Bluestem Rd., for the reasons stated in the staff report and discussed at the public hearing."

Legend



- Subject Property
- 1000' Buffer
- Parcels
- ETJ District**
- ZONE**
- A-R
- C-1
- M-P
- R-3
- R-1
- R-S



SUBJECT PROPERTY

NE SHADY CREEK ACCESS RD

NE PARALLEL ST

SE PARALLEL ST

SE SPIRES RD

SE COLE CREEK RD

SE HWY 177

SE HWY 54

SE 14TH TER

1000' Buffer