



EL DORADO CITY COMMISSION - WORK SESSION AGENDA
CITY HALL – 220 E. FIRST AVENUE
August 12, 2026 - 5:00 PM

Work Session Discussion Items:

- a. Public Comment Policy
- b. Code of Ethics Policy
- c. 2027 Proposed Budget - Final Review

Regular Agenda Preview:

- a. Items to be Placed on the Consent Agenda
 - i. Meeting Minutes
- b. Items to be Placed on the Regular Agenda
 - i. Special Use Permit - 1590 SW Boyer Rd Cell Tower
 - ii. Rezone R-2 to R-3 - 229 N Washington
 - iii. SS4A
 - iv. Demolition of Condemned Properties
 - v. Acceptance of One Cent Sales Tax Election Results

Reports:

- a. City Commission Reports
- b. City Manager Report

EL DORADO

KANSAS

TO: City Commission
FROM: David Dillner, City Manager
SUBJ: Public Comment Policy
DATE: August 12, 2026

Background:

Recent public meetings generated a significant number of public comments from citizens and interested stakeholders. Some of the participants asked the City Commission to increase the amount of time provided to individuals because of time constraints. The City's current policy gives citizens three minutes for public comments, and several recent comments exceeded this time restriction. The proposed revisions incorporate a five-minute time restriction for public comments and made other revisions in an attempt to clarify the expectations and process for public comments. The proposed revisions will replace all current or past policies with respect to public comments.

Attachments:

1. DRAFT Public Comment Policy

Advisory Board Recommendation:

Not Applicable

Policy Issue:

Should the City Commission amend its Public Comment Policy? Public participation is a valued component of democracy. Citizens are invited to actively participate in the governance process. One way for citizens to do so is by seeking information or questioning municipal government operations or policies during the Public Comment period during regular meetings of the City Commission. Policies of the municipal government should be periodically reviewed and revised to address changing circumstances. Reviewing the Public Comment Policy provides an opportunity to better define the expectations for all stakeholders (i.e., elected officials, citizens, and staff) and to consider ways to expand the opportunities for public comment.

Fiscal Impact:

There is no fiscal impact of amending the Public Comment Policy.

Trade-Offs:

There is no trade-offs to consider in adopting revisions to the Public Comment Policy.

Staff Recommendation:

The City Manager recommends amending the Public Comment Policy, as presented, to provide improved guidance on the public comment process to citizens. Public comments provide an opportunity for citizens to engage with their municipal government either to seek information or question processes, ordinances, policies, or other aspects of the municipal government. Such opportunities are a cornerstone to the democratic process and should be defined so all stakeholders understand the expectations of public comments during City Commission meetings.

Commission Action:

This item is for discussion purposes only. The item will be scheduled for consideration at a regular

meeting pending direction to do so by the City Commission.

RESOLUTION NO. [insert number]

**A RESOLUTION ADOPTING A POLICY OF THE CITY OF EL DORADO, KANSAS
CONCERNING PUBLIC COMMENTS DURING MEETINGS OF THE GOVERNING BODY
AND ITS ADVISORY BOARDS AND COMMITTEES**

WHEREAS, the City Commission of the City of El Dorado, Kansas (“City”), recognizes the importance of establishing clear and consistent policies to guide municipal operations and decision-making; and

WHEREAS, the City Commission periodically adopts new policies or revises existing policies to improve efficiency, accountability, and service delivery in accordance with the City’s mission and values; and

WHEREAS, a Policy Concerning Public Comments During Meetings of the Governing Body and Its Advisory Boards and Committees (“Policy”) has been prepared and reviewed by City staff to ensure alignment with applicable laws, regulations, and best practices; and

WHEREAS, the City Commission finds that adoption of the Policy serves the public interest and promotes the effective governance of the City of El Dorado.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF EL DORADO, KANSAS:

1. **Adoption.** The City Commission hereby adopts the document entitled a Policy Concerning Public Comments During Meetings of the Governing Body and Its Advisory Boards and Committees (“Policy”), attached hereto as *Exhibit A*, as an official policy of the City of El Dorado, Kansas.
2. **Purpose.** The purpose of this Policy is to establish uniform guidelines and procedures for public comments during meetings of the City Commission and its advisory boards and committees.
3. **Supersession.** This Resolution supersedes any prior resolutions or policies that conflict with the provisions of the adopted Policy.
4. **Implementation.** The City Manager, or their designee, is hereby authorized and directed to implement the provisions of the Policy and ensure compliance by all applicable departments and personnel.
5. **Effective Date.** This resolution shall be in full force and effect from and after its adoption by the City Commission.

ADOPTED by the City Commission of the City of El Dorado, Kansas, this [] day of [], 2025.

Bill Young, Mayor

ATTEST:

Emerald Veatch, City Clerk

Exhibit A

PUBLIC COMMENT POLICY

Citizens are encouraged to address the City Commission during regularly scheduled meetings. This Policy is intended to provide some guidelines to ensure that all El Dorado citizens have a chance to address the Commission.

1. In a democratic government, the public should be provided with an opportunity to seek information and raise questions of its elected and appointed officials. One such opportunity is during the “public comment” period during City Commission meetings. The purpose of this Policy is to establish procedures and guidelines for public comments during City Commission meetings and meetings of appointed boards and committees of the City of El Dorado, Kansas.
2. The public may comment on items scheduled for discussion on the agenda and other matters of municipal business during the Public Comment section of the meeting when asked to do so by the Mayor or presiding member.
3. Comments on matters not directly related to the City’s programs and services, personnel matters, matters pending in court, and land use matters (i.e., rezoning and special use applications) are not permitted. Land use comments should be made before the Planning Commission at the time the appropriate public hearing is scheduled. Comments involving political campaigning, commercial advertisements, and comments identifying, locating, and otherwise sharing private information of elected officials and employees of the City or members of the public are not permitted.
4. Individuals are encouraged to first contact City staff prior to regular meetings to discuss their issue or concern prior to submitting public comments.
5. All public comments are for informational purposes; no action will be taken by the governing body unless comments concern an item scheduled on the business agenda.
6. Citizens may provide comments to the City Commission by mail by sending comments to:

City of El Dorado
Attn: City Clerk – Public Comments
220 E. First Avenue
El Dorado, KS 67042

Citizens may also provide comments by sending an email to cityclerk@eldoks.gov. Emailed comments should contain “Public Comment” in the Subject line of the email to assist in identifying it as a comment for the City Commission. Comments received by mail or email will be read aloud during the next regular City Commission meeting.

7. All comments are subject to the requirements of the Kansas Open Records Act. All information provided is subject to public disclosure.
8. Civic appearances are opportunities for community organizations to make special presentations before the City Commission. Such appearances are scheduled in advance of the meeting by contacting the City Clerk at (316) 321-9100 by 5:00 pm on the Tuesday preceding the scheduled meeting. Personal appearance presentations are limited to ten minutes. Presentations are for informational purposes; no action will be taken by the governing body.

9. Interested parties requiring accommodation are asked to contact the City Clerk at (316) 321-9100 within two business days prior to a meeting to allow the City time to plan for needed accommodation, which may include interpreter services, assistive listening devices, or other ADA accommodations.
10. Each interested party is asked provide their name and address for the record before making comments. Individuals wishing to be contacted about their comments following the meeting should provide their contact information to the City Clerk.
11. There are no residency requirements to make public comments, although individuals are asked to provide their address, including city and state, for the record.
12. Each citizen will have five minutes to present his or her comments. An extension of time may be granted by the Mayor or the presiding member. Groups of individuals desiring to share similar positions are encouraged to select a spokesperson to provide comments as a means of minimizing duplication and respecting time constraints.
13. The City Commission may exercise discretion in the amount of time allocated to public comments during a meeting as a means of managing the governing body's time, especially on unusually long agendas. For example, the City Commission may decide to allow thirty minutes for public comments during a lengthy meeting.
14. The City Commission provides no expectation of public comments during work sessions or special meetings. The City Commission may exercise its discretion in allowing comments during these meetings.
15. Public comments will be directed to the City Commission, who may direct the City Manager to follow up with a response to the interested party after the meeting.
16. The City Manager will be responsible for ensuring that citizens providing public comments receive a follow up to their comments. The City Commission will be provided with a summary of the response provided to citizens.
17. All parties in attendance at meetings are asked to act in a civil and courteous manner when addressing the City Commission. Debate or argument with the City Commission or between parties in the audience will not be allowed. Commentary or heckling from the audience will not be allowed.
18. Personal attacks, threats, fighting words, slanderous remarks or insults that are unrelated to official conduct or a public official's qualifications will not be allowed.
19. All the provisions of this Policy shall apply to appointed boards and committees of the City Commission who allow for public comment during their meetings.
20. Violation of this Policy will result in the citizen being directed to cease or resume sitting. The Mayor, or Vice-Mayor in the absence of the Mayor, may direct anyone not complying with this Policy or who is acting in an uncivil or threatening manner to leave the Commission Chambers. The Police Chief, or designee, will escort individuals not complying with a request to leave the premises.

EL DORADO

KANSAS

TO: City Commission
FROM: David Dillner, City Manager
SUBJ: Code of Ethics Policy
DATE: August 12, 2026

Background:

Municipal codes of ethics are established to define acceptable standards of conduct for elected officials, appointed board members, and municipal employees. They typically address conflicts of interest, acceptance of gifts, use of public resources, misuse of confidential information, and post-employment restrictions. While the primary goal is to foster transparency and prevent official misconduct, the effectiveness of a code depends largely on how its enforcement mechanisms, investigative standards, and administrative oversight are structured.

The City Commission, as an elected body, is responsible for adopting and enforcing its own Code of Ethics. A draft Code of Ethics has been prepared for the City Commission's review and discussion. It is advised that the City Commission consider such changes as it deems necessary and appropriate to facilitate an ethical framework for its governance responsibilities. The Code of Ethics, as written, would apply to elected officials, appointed officials (or the City Manager), and staff. The enforcement of the Code of Ethics on City staff would be administered by the City Manager through the Personnel Policies of the City. The City Commission would be responsible for enforcing the Code of Ethics on its individual members and the City Manager. In addition, the City Commission may want to apply the Code of Ethics to members of boards and committees appointed by the City Commission. In this case, the City Commission would enforce the provisions of the Code of Ethics on alleged violations arising from members of appointed boards and committees.

In recent public comments, reference was made to the ICMA Code of Ethics and its applicability to the professionalism of the City Manager. Adopted in 1924, the ICMA Code of Ethics defined the principles that today serve as the foundation for the local government management profession and set the standard for excellence. Leadership in a management structure committed to equity, transparency, integrity, stewardship of public resources, political neutrality, and respect for the rights and responsibility of elected officials and residents strengthens democratic local governance.

ICMA members pledge to uphold these principles in their conduct and decisions in order to merit the trust of the public, elected officials, and staff they serve. As a condition of membership, ICMA members agree to submit to a peer-to-peer review under established enforcement procedures should there be an allegation of unethical conduct. Members who are working for a local government in any capacity are required to follow all 12 Tenets of the Code. Members who are students, elected officials, fully retired, working for a state or federal agency, or in the private sector are required to follow Tenets 1 and 3. ICMA's Code of Ethics includes Guidelines, adopted by the ICMA Executive Board in 1972, to assist members in applying the principles outlined in the Code.

The draft Code of Ethics addresses statutory conflicts of interest, which are defined by K.S.A. 75-4301(a) *et seq.* In addition to these provisions, the City may utilize its home rule authority to improve higher standards on local elected and appointed officials. Presently, the statutory conflicts of interest are defined as follows:

"Substantial interest" means any of the following: (1) If an individual or an individual's spouse, either individually or collectively, has owned within the preceding 12 months a legal or equitable interest exceeding \$5,000 or 5% of any business, whichever is less, the individual has a substantial interest in that business.

(2) If an individual or an individual's spouse, either individually or collectively, has received during the preceding calendar year compensation which is or will be required to be included as taxable income on federal income tax returns of the individual and spouse in an aggregate amount of \$2,000 from any business or combination of businesses, the individual has a substantial interest in that business or combination of businesses.

(3) If an individual or an individual's spouse, either individually or collectively, has received in the preceding 12 months, without reasonable and valuable consideration, goods or services having an aggregate value of \$500 or more from a business or combination of businesses, the individual has a substantial interest in that business or combination of businesses.

(4) If an individual or an individual's spouse holds the position of officer, director, associate, partner or proprietor of any business, other than an organization exempt from federal taxation of corporations under section 501(c)(3), (4), (6), (7), (8), (10) or (19) of chapter 26 of the United States code, the individual has a substantial interest in that business, irrespective of the amount of compensation received by the individual or individual's spouse.

(5) If an individual or an individual's spouse receives compensation which is a portion or percentage of each separate fee or commission paid to a business or combination of businesses, the individual has a substantial interest in any client or customer who pays fees or commissions to the business or combination of businesses from which fees or commissions the individual or the individual's spouse, either individually or collectively, received an aggregate of \$2,000 or more in the preceding calendar year.

Attachments:

1. Code of Ethics Resolution
2. ICMA Code of Ethics (July 2025)

Advisory Board Recommendation:

Not Applicable

Policy Issue:

Should the City amend its Code of Ethics to clarify the expectations for ethical behavior by elected officials, appointed officials, and City staff? The City Commission and staff have come under public scrutiny in recent months. Much of this scrutiny has come about in response to the perception of unethical behavior from the governing body and city manager. It is appropriate during periods of heightened scrutiny to 1) remind elected and appointed officials and staff of the ethical expectations that exist within the organization, 2) review the existing Code of Ethics to determine if it reflects public sentiment and expectations or if revisions are necessary, and 3) to recommit to an ethical framework for governance and administration of the municipal government.

Fiscal Impact:

There is no direct fiscal impact to adopting a Code of Ethics, although there may be an indirect benefit by encouraging behavior that promotes ethical use of public funds and assets. Unethical

behavior has the potential of leading to situations of abuse of public funds and assets or otherwise create unnecessary liability arising from such behaviors. Establishing a Code of Ethics and adhering to it provides a safeguard against behaviors that may diminish public trust and create financial liabilities for the City.

Trade-Offs:

Benefit: A formal code establishes clear standards of conduct, fostering public confidence and setting a measurable benchmark for official behavior. **Trade-off:** In polarized environments, formal ethics processes can be converted into tools for political theater. Frivolous or politically motivated complaints are frequently filed near election cycles, consuming significant administrative bandwidth and damaging reputations prior to due process.

Benefit: Clear guidelines eliminate ambiguity regarding secondary employment, gifts, and personal conflicts, protecting staff and officials from unintentional violations. **Trade-off:** Overly rigid or punitive restrictions, particularly guidelines surrounding financial disclosures, strict gift bans, or post-employment limitations can discourage qualified community members from serving on volunteer boards and commissions, or deter top-tier talent from municipal employment.

Benefit: Highly detailed, prescriptive codes leave minimal room for subjective interpretation, establishing clear grounds for disciplinary action. **Trade-off:** Overly detailed codes risk creating a hyper-technical regulatory environment where minor inadvertent errors trigger formal investigations. Conversely, broad principle-based codes offer flexibility but risk inconsistent application and legal challenges based on vagueness.

Benefit: Independent oversight (such as an external Ethics Officer or appointed Ethics Board) ensures objective complaint review and insulates staff from political pressure. **Trade-Off:** Maintaining independent intake, investigation, and legal review requires dedicated financial resources and staff support, which can create ongoing budgetary impacts for the municipality.

Staff Recommendation:

The City Manager recommends the City Commission review and discuss the revised Code of Ethics, and make any revisions the governing body deems appropriate to facilitate ethical behavior from the City Commission, City Manager, and City staff.

Commission Action:

This item is for discussion purposes only. The item will be scheduled for consideration at a regular meeting pending direction to do so by the City Commission.

RESOLUTION NO. [insert number]

**A RESOLUTION ADOPTING A POLICY OF THE CITY OF EL DORADO, KANSAS
CONCERNING A CODE OF ETHICS APPLICABLE TO THE GOVERNING BODY AND
APPOINTED BOARDS AND COMMITTEES OF THE CITY**

WHEREAS, the City Commission of the City of El Dorado, Kansas (“City”), recognizes the importance of establishing clear and consistent policies to guide municipal operations and decision-making; and

WHEREAS, the City Commission periodically adopts new policies or revises existing policies to improve efficiency, accountability, and service delivery in accordance with the City’s mission and values; and

WHEREAS, a Code of Ethics (“Policy”) has been prepared and reviewed by the City Attorney to ensure alignment with applicable laws, regulations, and best practices; and

WHEREAS, the City Commission finds that adoption of a Code of Ethics serves the public interest and promotes the effective governance of the City of El Dorado.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF EL DORADO, KANSAS:

1. **Adoption.** The City Commission hereby adopts the following Code of Ethics (“Policy”), attached hereto as *Exhibit A*, as an official policy of the City of El Dorado, Kansas.
2. **Purpose.** The purpose of this Policy is to define certain behaviors and standards to preserve the integrity of the governance process and the work of various appointed boards and committees of the City Commission.
3. **Supersession.** This Resolution supersedes any prior resolutions or policies that conflict with the provisions of the adopted Policy.
4. **Implementation.** The City Manager, or their designee, is hereby authorized and directed to implement the provisions of the Policy and ensure compliance by all applicable departments and personnel.
5. **Effective Date.** This Resolution shall be in full force and effect from and after its adoption by the City Commission.

ADOPTED by the City Commission of the City of El Dorado, Kansas, this [] day of [], 2025.

Bill Young, Mayor

ATTEST:

Emerald Veatch, City Clerk

Exhibit A

Code of Ethics Policy

City of El Dorado, Kansas

- 1. Purpose and Interpretation.** The purpose of this Code of Ethics Policy is to promote public confidence in local government by ensuring that elected officials and city employees conduct themselves with integrity, impartiality, transparency, and accountability. The framework is intended to supplement existing state law and local policies by providing clear expectations and practical guidance for everyday situations.
- 2. Guiding Principle.** Public service is a public trust. Officials and employees of the City of El Dorado should perform their duties in a manner that places the interests of the community above personal interests, avoids undue influence, promotes transparency, and preserves the confidence of the citizens they serve.
- 3. Ethical Standards.** All elected officials and city employees should be expected to:
 - a. Act honestly, fairly, and in the best interests of the citizens of El Dorado.
 - b. Exercise independent judgment free from improper influence.
 - c. Treat all individuals with professionalism, respect, and impartiality.
 - d. Avoid both actual conflicts of interest and situations that create the appearance of impropriety.
 - e. Conduct themselves in a manner that maintains and strengthens public confidence in city government.
- 4. Individuals Covered.** The general principles and conduct standards apply to elected officials, appointed officers, advisory-board members, and City employees. Enforcement shall follow separate procedures: 1) the governing body process for elected and appointed officials, and 2) the City Manager's personnel and administrative processes for employees. Contractors and volunteers may be required by agreement or policy to comply with specified provisions.
- 5. Core Principles.** Covered individuals should act with integrity, impartiality, stewardship, respect, accountability, and fidelity to lawful City policy. They should place the long-term public interest above personal advantage, use public resources prudently, and communicate candidly without disclosing information protected by law.
- 6. Definitions.**
 - a. "City business" means any decision, recommendation, contract, permit, license, enforcement matter, grant, incentive, appointment, or other official action.
 - b. "Conflict of interest" means a financial, employment, family, household, business, or other direct personal interest that would reasonably be expected to materially affect impartial performance.

- c. “Gift” means money, goods, services, discounts, meals, travel, admission, hospitality, loans, promises, or other benefits received without equivalent consideration.
 - d. “Immediate family” means spouse, domestic partner, parent, child, sibling, parent-in-law, child-in-law, and any person residing in the same household.
 - e. “Recusal” means nonparticipation in discussion, deliberation, recommendation, and vote.
 - f. “Retaliation” means adverse action because a person in good faith sought advice, disclosed a conflict, filed a complaint, provided evidence, or participated in a proceeding.
 - g. “Statutory conflict” means a conflict governed by K.S.A. 75-4301(a) *et seq.*
7. **Compliance with Law.** Covered individuals shall comply with applicable federal, state, and local law. The requirements of K.S.A. 75-4301(a) *et seq.*, as amended, are incorporated by reference. Nothing in this Code authorizes conduct prohibited by law or narrows a statutory duty.
8. **Use of Office and City Resources.** No covered person shall use or attempt to use City position, authority, staff, information, property, equipment, funds, or symbols for private gain or preferential treatment. Incidental use authorized by written City policy, emergency use, and use available to the public on equal terms are not prohibited.
9. **Confidential Information.** No covered person shall disclose or use information made confidential by law, protected by attorney-client privilege, lawfully discussed in executive session, or otherwise restricted by City policy, except as authorized or required by law. This provision does not prohibit lawful whistleblowing or reporting to an authorized enforcement agency.
10. **Fair and Impartial Treatment.** No covered person shall grant preferential treatment or deny fair consideration based on a private relationship, retaliation, or personal benefit. Lawful distinctions based on adopted policy, program eligibility, public-safety needs, or other legitimate public purposes are permitted.
11. **Outside Employment and Representation.** Employees shall disclose and obtain approval for outside employment when required by personnel policy. An official or employee shall not represent a private party before a municipal body or agency on which the person serves or before staff whose work the person directly supervises.
12. **Gifts and Hospitality.** No elected official or city employee shall solicit gifts, favors, services, loans, entertainment, or other items of value from any person or entity seeking official action, doing business with the City, or whose interests may be substantially affected by the performance of the employee’s or official’s duties. The following standards shall apply:

- a. Prohibited Gifts: Cash, cash equivalents (including gift cards redeemable for cash), personal discounts not available to the public, travel unrelated to official business, and gifts offered with the intent to influence official action.
- b. Nominal Gift Threshold: Gifts with an aggregate value of \$100 or less per source per calendar year may be accepted without reporting, provided they are not intended to influence official action or from a source that is seeking official action.
- c. Disclosure Threshold: Gifts exceeding \$100 from a single source in a calendar year must be disclosed to the City Clerk within thirty days, unless the gift was received from a preexisting or familial relationship (friends and family).
- d. Absolute Annual Limit: No elected official or employee may accept gifts from a single source exceeding an aggregate value of \$300 in a calendar year, regardless of form, unless specifically approved by the governing body for legitimate governmental purposes or from a preexisting or familial relationship (friends and family).
- e. Business Meals and Ceremonial Items: Modest meals, plaques, certificates, and commemorative items associated with official duties may be accepted if reasonable and customary.

13. Conflicts, Disclosure, and Recusal. A covered person shall promptly disclose a possible statutory or direct conflict to the City Attorney and City Clerk, or for an employee to the supervisor and City Manager. An elected or appointed official with a statutory conflict or direct material financial, family, household, employment, or business interest shall not discuss, deliberate, recommend, or vote on the matter and shall follow the recusal procedure established by rule. An appearance concern that does not constitute a direct conflict ordinarily requires disclosure and advice, not automatic recusal.

14. Reporting. The City Clerk should maintain a publicly accessible gift disclosure log containing:

- a. The name of the recipient;
- b. The name of the donor;
- c. A description of the gift;
- d. The estimated value of the gift; and
- e. The date received.

Gift reports should be filed within thirty days of receipt and summarized annually for review by the governing body.

15. Recusal Procedure. Before the item is considered, the official shall make a concise oral disclosure sufficient to identify the nature of the conflict without revealing protected information. The official shall leave the dais and, when advised by counsel, the room; shall not communicate with other decision-makers about the merits; and shall return only after the item concludes. The minutes shall record the disclosure, departure, abstention, and return. A written disclosure shall be filed as soon as practicable.

16. Requests for Advice. Officials and employees may request confidential advice from the City Attorney or designated outside ethics counsel. Reliance in good faith on written advice based on

complete and accurate facts may be considered in determining intent and corrective action but does not authorize conduct prohibited by law.

- 17. Complaint Jurisdiction.** The elected-and-appointed-official process applies only to alleged violations of specific mandatory provisions of this Code within City's jurisdiction. It does not review the wisdom of policy, the merits of a vote, campaign speech, protected expression, or matters assigned exclusively to another agency or court. Employee allegations shall be referred to the City Manager or appropriate personnel process.
- 18. Filing a Complaint.** A complaint shall be submitted to the City Clerk on the prescribed form within 180 days after the complainant knew or reasonably should have known of the alleged conduct. It shall be signed, identify the respondent and specific provision, state material facts and dates, and attach or identify available evidence. Anonymous information may be reviewed as a lead but does not require a formal proceeding unless independently substantiated.
- 19. Preliminary Review.** The City Clerk shall transmit a complaint concerning an elected or appointed official to the City Attorney. Counsel shall determine jurisdiction and facial sufficiency and may dismiss a complaint that is incomplete, untimely, duplicative, outside jurisdiction, frivolous, retaliatory on its face, or insufficient even if the alleged facts are true. The complainant and respondent shall receive written notice of the disposition.
- 20. Notice, Response, and Investigation.** If accepted, the respondent shall receive the complaint and have 10 business days to submit a written response, subject to reasonable extension. The City Attorney or an independent investigator may interview witnesses and review relevant records. The respondent shall have a fair opportunity to identify evidence and respond to material adverse information.
- 21. Findings and Public Action.** The investigator shall prepare a written report stating the allegations, applicable provisions, material facts, credibility determinations, when necessary, findings, and recommended corrective options. A violation by an elected or appointed official shall require clear and convincing evidence. The City Commission shall take any final binding action in an open meeting after receiving legal advice and following procedures that protect due process and lawful confidentiality.
- 22. Corrective Actions.** Available responses may include no violation, advisory guidance, corrective disclosure, return or reimbursement of a gift, apology, training, admonition, reprimand, censure, removal from a liaison or appointed leadership assignment when lawful, recommendation for removal of an appointed official when lawful, or referral to another authority. Employee discipline shall be imposed only through the City Manager's personnel authority and applicable employment procedures. No fine, forfeiture, or removal from elected office may be imposed without express legal authority.
- 23. Retaliation and False Statements.** The City shall not tolerate retaliation against a person who acts in good faith under this Code. A complaint is not false merely because it is unproven.

Knowingly making a materially false statement may be referred for appropriate action when supported by evidence and law.

24. Records and Transparency. Complaints, investigative materials, attorney communications, personnel records, and final reports shall be maintained and disclosed in accordance with KORA, KOMA, privilege, privacy law, retention schedules, and other applicable requirements. Final dispositions should be published to the extent permitted by law.

25. Training and Acknowledgment. All newly elected officials and employees should complete ethics training within six months of assuming their duties and participate in refresher training at least once every two years. Each official and employee should annually acknowledge, in writing, that they have reviewed and understand the City's ethics policies.

The framework should also establish a process for reporting potential violations, protecting individuals who report concerns in good faith from retaliation, and ensuring that alleged violations are reviewed in a fair, impartial, and confidential manner. Corrective actions should be proportional to the severity of the violation and may range from education and counseling to formal censure, disciplinary action, or referral to appropriate authorities.

26. Administration, Review, and Severability. The City Manager may issue administrative procedures and forms consistent with this Code for employees and City operations. The City Commission shall review the Code at least every two years and after material changes in Kansas law. If any provision is invalid, the remaining provisions remain effective.

ICMA Code of Ethics with Guidelines

The ICMA Code of Ethics was adopted by the ICMA membership in 1924, and most recently amended by the membership in May 2025. The Guidelines for the Code were adopted by the ICMA Executive Board in 1972, and most recently revised in July 2025.

The mission of ICMA is to advance professional local government through leadership, management, innovation, and ethics. To further this mission, certain principles, as enforced by the Rules of Procedure, shall govern the conduct of every member of ICMA, who shall:

Tenet 1. We believe professional management is essential to effective, efficient, equitable, and democratic local government.

Tenet 2. Affirm the dignity and worth of local government services and maintain a deep sense of social responsibility as a trusted public servant.

GUIDELINE

Advice to Officials of Other Local Governments. When members advise and respond to inquiries from elected or appointed officials of other local governments, they should inform the administrators of those communities in order to uphold local government professionalism.

Tenet 3. Demonstrate by word and action the highest standards of ethical conduct and integrity in all public, professional, and personal relationships in order that the member may merit the trust and respect of the elected and appointed officials, employees, and the public.

GUIDELINES

Public Confidence. Members should conduct themselves so as to maintain public confidence in their position and profession, the integrity of their local government, and in their responsibility to uphold the public trust.

Length of Service. For chief administrative/executive officers appointed by a governing body or elected official, a minimum of two years is considered necessary to render a professional service to the local government. In limited circumstances, it may be in the best interests of the local government and the member to separate before serving two years. Some examples include refusal of the appointing authority to honor commitments concerning conditions of employment, a vote of no confidence in the member, or significant personal issues. It is the responsibility of an applicant for a position to understand conditions of employment, including expectations of service. Not understanding the terms of employment prior to accepting does not justify premature separation. For all members a short tenure should be the exception rather than a recurring experience, and members are expected to honor all conditions of employment with the organization.

Appointment Commitment. Members who accept an appointment to a position should report to that position. This does not preclude the possibility of a member considering several offers or seeking several positions at the same time. However, once a member has accepted a formal offer of employment, that commitment is considered binding unless the employer makes fundamental changes in the negotiated terms of employment.

Credentials. A member's resume for employment or application for ICMA's Voluntary Credentialing Program shall completely and accurately reflect the member's education, work experience, and personal history. Omissions and inaccuracies must be avoided.

Professional Respect. Members should demonstrate professional respect for colleagues, including predecessors, successors, and others who might be candidates for the same position. Professional respect does not preclude sharing honest differences of opinion privately between colleagues; it does preclude attacking a person's motives or integrity, undermining them, or actively interfering with their work.

Showing professional respect involves acknowledging power dynamics between different career points and tenures. Undue influence, abuse of power, and intimidation are inappropriate and must be avoided.

A member no longer working in service to a local government should be mindful of professional respect before running for elected office in a jurisdiction where they recently served.

Reporting Ethics Violations. When becoming aware of a possible violation of the ICMA Code of Ethics, members are encouraged to report possible violations to ICMA. In reporting the possible violation, members may choose to go on record as the complainant or report the matter on a confidential basis.

Confidentiality. Members shall not discuss or divulge information with anyone about pending or completed ethics cases, except as specifically authorized by the Rules of Procedure for Enforcement of the Code of Ethics.

Seeking Employment. Members should not seek employment for a position that has an incumbent who has not announced his or her separation or been officially informed by the appointive entity that his or her services are to be terminated. Members should not initiate contact with representatives of the appointive entity. Members contacted by representatives of the appointive entity body regarding prospective interest in the position should decline to have a conversation until the incumbent's separation from employment is publicly known.

Relationships in the Workplace. Members should not engage in an intimate or romantic relationship with any elected official or board appointee, employee they report to, one they appoint and/or supervise, either directly or indirectly, within the organization.

This guideline does not restrict personal friendships, professional mentoring, or social interactions with employees, elected officials and Board appointees.

Influence. Members should conduct their professional and personal affairs in a manner that demonstrates that they cannot be improperly influenced in the performance of their official duties.

Conflicting Roles. Members who serve multiple roles – either within the local government organization or externally – should avoid participating in matters that create either a conflict of interest or the perception of one. They should disclose any potential conflict to the governing body so that it can be managed appropriately.

Conduct Unbecoming. Members should treat people fairly, with dignity and respect and should not engage in, or condone bullying behavior, harassment, sexual harassment, unwelcome contact, advances, or discrimination on the basis of race, religion, national origin, age, disability, gender, gender identity, sexual orientation, or veteran status. Members should foster respectful, inclusive environments in all professional and social settings.

Tenet 4. Serve the best interests of all community members.

GUIDELINES

Effects of Decisions. Members should inform the appropriate elected or appointed official(s) of a decision's anticipated effects on community members.

Promote Equity. Members should ensure fairness and impartiality in accessing programs and services and in the enforcement of laws and regulations. Members should assess and propose solutions to strive to eliminate disparities.

Tenet 5. Submit policy proposals to elected officials; provide them with facts, and technical and professional advice about policy options; and collaborate with them in setting goals for the community and organization.

Tenet 6. Recognize that elected representatives are accountable to their community for the decisions they make; members are responsible for implementing those decisions.

Tenet 7. Refrain from all political activities which undermine public confidence in professional administrators. Refrain from participation in the election of the members of the employing legislative body.

GUIDELINES

Elections of the Governing Body. Members should maintain a reputation for serving equally and

impartially all members of the governing body of the local government they serve, regardless of party. To this end, they should not participate in an election campaign on behalf of or in opposition to candidates for the governing body.

Elections of Elected Executives. Members shall not participate in the election campaign of any candidate for mayor or elected county executive.

Running for Office. Members shall not run for elected office or become involved in political activities related to running for elected office, or accept appointment to an elected office. They shall not seek political endorsements, financial contributions or engage in other campaign activities.

Elections. Members share with their fellow citizens the right and responsibility to vote. However, in order not to impair their effectiveness on behalf of the local governments they serve, they shall not participate in political activities to support the candidacy of individuals running for any city, county, special district, school, state or federal offices. Specifically, they shall not endorse candidates, make financial contributions, sign or circulate petitions, or participate in fund-raising activities for individuals seeking or holding elected office.

Elections relating to the Form of Government. Members may assist in preparing and presenting materials that explain the form of government to the public prior to a form of government election. If assistance is required by another community, members may respond.

Presentation of Issues. Members may assist their governing body in the presentation of issues involved in referenda such as bond issues, annexations, and other matters that affect the government entity's operations and/or fiscal capacity.

Personal Advocacy of Issues. Members share with their fellow citizens the right and responsibility to voice their opinion on public issues. Members may advocate for issues of personal interest only when doing so does not conflict with the performance of their official duties.

Tenet 8. Continually improve professional capabilities and those of others while fostering growth and development through ethical leadership and effective management practices.

GUIDELINES

Self-Assessment. Members should evaluate and enhance their professional skills and competencies annually through self-reflection and by proactively soliciting feedback.

Professional Development. Members should stay informed about emerging issues, practices, and challenges, actively engage in development activities year-round, and support others in enhancing their professional and ethical competencies.

Tenet 9. Keep the community informed on local government affairs. Encourage and facilitate active engagement and constructive communication between community members and all local government officials.

GUIDELINE

Engagement. Members should ensure community members can actively engage with their local government as well as eliminate barriers and support involvement of the community in the governance process.

Tenet 10. Oppose efforts to interfere with professional responsibilities by consistently executing official duties, policies, and processes with an unwavering commitment to unbiased public service.

GUIDELINES

Information Sharing and Feedback. The member should collaborate with the governing body to establish clear communication protocols for effective, equitable, and transparent information sharing and reciprocal feedback.

Personnel and Operational Matters. The member shall lead personnel and operating decisions consistent with responsibilities established in the charter or enabling legislation without interference from the governing body.

Tenet 11. Manage all personnel matters with fairness and impartiality.

GUIDELINE

Diversity and Inclusion. It is the member's responsibility to recruit, hire, promote, retain, train, and support a diverse workforce at all levels of the organization.

Tenet 12. Public office is a public trust. A member shall not leverage his or her position for personal gain or benefit.

GUIDELINES

Gifts. Members shall not directly or indirectly solicit, accept or receive any gift if it could reasonably be perceived or inferred that the gift was intended to influence them in the performance of their official duties; or if the gift was intended to serve as a reward for any official action on their part.

The term "Gift" includes but is not limited to services, travel, meals, gift cards, tickets, or other entertainment or hospitality. Gifts of money or loans from persons other than the local government jurisdiction pursuant to normal employment practices are not acceptable.

Members should not accept any gift that could undermine public confidence. De minimus gifts may be accepted in circumstances that support the execution of the member's official duties or serve

a legitimate public purpose. In those cases, the member should determine a modest maximum dollar value based on guidance from the governing body or any applicable state or local law.

The guideline is not intended to apply to normal social practices, not associated with the member's official duties, where gifts are exchanged among friends, associates and relatives.

Investments in Conflict with Official Duties. Members should refrain from any investment activity which would compromise the impartial and objective performance of their duties. Members should not invest or hold any investment, directly or indirectly, in any financial business, commercial, or other private transaction that creates a conflict of interest, in fact or appearance, with their official duties.

In the case of real estate, the use of confidential information and knowledge to further a member's personal interest is not permitted. Purchases and sales which might be interpreted as speculation for quick profit should be avoided (see the guideline on "Confidential Information"). Because personal investments may appear to influence official actions and decisions, or create the appearance of impropriety, members should disclose or dispose of such investments prior to accepting a position in a local government. Should the conflict of interest arise during employment, the member should make full disclosure and/or recuse themselves prior to any official action by the governing body that may affect such investments.

This guideline is not intended to prohibit a member from having or acquiring an interest in or deriving a benefit from any investment when the interest or benefit is due to ownership by the member or the member's family of a de minimus percentage of a corporation traded on a recognized stock exchange even though the corporation or its subsidiaries may do business with the local government.

Personal Relationships. In any instance where there is a conflict of interest, appearance of a conflict of interest, or personal financial gain of a member by virtue of a relationship with any individual, spouse/partner, group, agency, vendor or other entity, the member shall disclose the relationship to the organization. For example, if the member has a relative that works for a developer doing business with the local government, that fact should be disclosed.

Confidential Information. Members shall not disclose to others, or use to advance their personal interest, intellectual property, confidential information, or information that is not yet public knowledge, that has been acquired by them in the course of their official duties.

Information that may be in the public domain or accessible by means of an open records request, is not confidential.

Private Employment. Members should not engage in, solicit, negotiate for, or promise to accept private employment, nor should they render services for private interests or conduct a private

business when such employment, service, or business creates a conflict with or impairs the proper discharge of their official duties.

Teaching, lecturing, writing, or consulting are typical activities that may not involve conflict of interest or impair the proper discharge of their official duties. Prior notification of the appointing authority is appropriate in all cases of outside employment.

Representation. Members should not represent any outside interest before any agency, whether public or private, except with the authorization of or at the direction of the appointing authority they serve.

Endorsements. Members should not endorse commercial products or services by agreeing to use their photograph, endorsement, or quotation in paid or other commercial advertisements, marketing materials, social media, or other documents, whether the member is compensated or not for the member's support. Members may, however, provide verbal professional references as part of the due diligence phase of competitive process or in response to a direct inquiry.

Members may agree to endorse the following, provided they do not receive any compensation: (1) books or other publications; (2) professional development or educational services provided by nonprofit membership organizations or recognized educational institutions; (3) products and/or services in which the local government has a direct economic interest.

Members' observations, opinions, and analyses of commercial products used or tested by their local governments are appropriate and useful to the profession when included as part of professional articles and reports.

EL DORADO

KANSAS

TO: City Commission
FROM: Tabitha Sharp, Assistant City Manager
SUBJ: 2027 Proposed Budget - Final Review
DATE: August 12, 2026

Background:

The annual budget serves as the City's primary financial and policy document, allocating resources to support municipal services, infrastructure, public safety, and strategic priorities. Budget development requires balancing projected revenues with operational needs while maintaining fiscal sustainability and compliance with applicable state budgeting requirements and local financial policies.

At the previous budget work session, the City Commission requested that staff develop budget scenarios utilizing between 50% and 100% of the City's total valuation increase. As staff continued preparing those scenarios, updated information became available indicating that the City's unemployment insurance costs would be significantly lower than originally projected. Combined with an additional transfer from the utility funds, these changes freed approximately \$210,000 in General Fund resources.

The availability of these additional resources allowed staff to expand the requested analysis and prepare budget scenarios utilizing 0%, 25%, 50%, 80%, and 100% of the total valuation increase. In all scenarios except the Revenue Neutral Rate option, staff was able to restore funding for part-time Parks and Recreation employees as well as maintenance and repair expenditures that had previously been reduced.

The budget scenarios also illustrate the impact of each option on the City's financial position. The 25% and 50% valuation increase options would require the use of existing fund balance to support expenditures. The 80% option results in a balanced budget while maintaining the current fund balance. The 100% option not only balances the budget but also increases the City's fund balance, providing additional financial capacity for future needs.

The Commission's discussion provides an opportunity to evaluate these revised funding options, identify priorities, consider service-level impacts, and weigh the long-term financial implications of each approach before the 2027 budget is finalized.

Attachments:

1. 2027 Mill Levy & Enterprise Budget Presentation 081226

Advisory Board Recommendation:

Not Applicable

Policy Issue:

Staff are presenting proposed budget options to the City Commission for discussion and policy direction. The purpose of this discussion is to review available funding scenarios, evaluate trade-offs among competing priorities, and provide guidance to staff before preparation of the proposed budget for formal consideration.

Fiscal Impact:

Fiscal impacts will depend on the final revenue projections, expenditure assumptions, and policy choices. Considerations include:

- Projected revenues.
- Personnel costs, including wages and benefits.
- Inflationary impacts on goods and services.
- Capital improvement funding.
- Reserve levels and compliance with adopted financial policies.
- Potential adjustments to taxes, fees, or other revenue sources, if necessary.

Trade-Offs:

Alternative	Benefits	Considerations
Maintain Current Services	Predictable operations; stable service delivery	Limited capacity for new initiatives
Strategic Enhancements	Advances Commission priorities; addresses emerging needs	Higher ongoing operating costs; potential revenue implications
Fiscal Constraint	Improves long-term fiscal resilience; preserves reserves	Potential service reductions and deferred investments

Staff Recommendation:

No formal recommendation is provided at this discussion stage. Staff recommend that the City Commission review the proposed budget scenarios, discuss policy priorities, and provide direction regarding desired service levels, funding priorities, and any modifications before preparation of the recommended budget for formal adoption.

Commission Action:

This item is for discussion purposes only. The item will be scheduled for consideration at a regular meeting pending direction to do so by the City Commission.

Preliminary Budget

2027



Decision Points

- **Does the City Commission want to adhere to the Revenue Neutral Rate?** If so, staff will prepare options for the governing body to consider prior to the adoption of the budget.
- **Does the City Commission want to increase property taxes to fund services at current levels?** If so, the governing body will need to provide some guidance on the appropriate mill levy threshold for the preparation of the *Notice to Exceed the Revenue Neutral Rate* for consideration at the July 6 meeting.

Mission and Purpose

Vision Statement

“The City of El Dorado strives to create a desirable place to call home.”



Mission Statement

“Enhancing Quality of Life by Embracing Service Excellence”

Budget Priorities



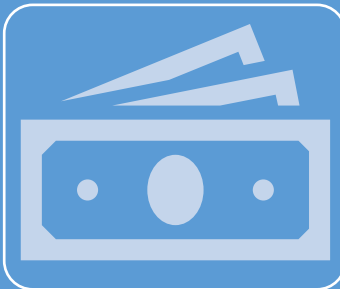
Maintain Service Delivery

- Focus on essential services
- Quality workforce



Focus on Maintaining Existing Assets

- Preservation of critical infrastructure
- Avoid unnecessary expansion of assets



Continue Fiscal Discipline

- Maintain strong financial position
- Spend less than operating revenues

Property Taxes

2027 Preliminary Budget

Budget Options – Revenue Neutral Scenario

Fund	Revenue Neutral	25% Valuation	50% Valuation	80% Valuation	100% Valuation
General	38.223	39.603	40.721	41.671	43.789
Debt Service	8.005	8.005	8.005	8.005	8.005
Library	4.476	4.476	4.476	4.476	4.476
Airport	0.857	0.871	0.871	0.857	0.857
Industrial	0.314	0.314	0.314	0.314	0.314
TOTAL	51.875	52.990	54.387	55.337	57.455
Surplus/(Deficit)	(\$326,614)	(\$296,015)	(\$136,015)	\$0	\$303,185

Scenario Details:

- Mill levy estimated at 51.875.
- Minimum fund balance \$2.0 million.
- Reduces current fund balance to \$1.88 million.
- Provides no adjustments to employee compensation.

Budget Options – Revenue Neutral Scenario

Revenue:

- Increase Stormwater Franchise Fee (+\$5,000)
- Transfer from utilities (+\$140,000)
- Reductions could be offset with transfer from Excess Sales Tax funds; EST Committee did not recommend.

Expenditures:

- Prisoner Care (+\$45,000)
- Reallocate 2 FTEs to Water (-\$200,000)
- Reduce PTE from Parks & Rec (-\$45,000)
 - Reduces Parks employees from 5 to 3
 - Reduces Recreation employees from 8 to 5
- Recreation Programming Reduction (-\$10,000)
- Maintenance and Repair Reduction (-\$30,000)
- Miscellaneous Expense Reduction (-\$10,000)
e.g. clothing, office and general supplies
- Lease Payoffs (-\$64,000)
 - 3 vehicles at \$12,000/year each for the next 2 years
 - 2 vehicles at \$14,000/year each for the next 3 years
 - Total Payoff 12/31/26 \$160,000 from Equipment Reserve (Fund Balance after payment would be \$650,000)

Budget Options – 25% Valuation Scenario

Fund	Revenue Neutral	25% Valuation	50% Valuation	80% Valuation	100% Valuation
General	38.223	39.603	40.721	41.671	43.789
Debt Service	8.005	8.005	8.005	8.005	8.005
Library	4.476	4.476	4.476	4.476	4.476
Airport	0.857	0.871	0.871	0.857	0.857
Industrial	0.314	0.314	0.314	0.314	0.314
TOTAL	51.875	52.990	54.387	55.337	57.455
Surplus/(Deficit)	(\$326,614)	(\$296,015)	(\$136,015)	\$0	\$303,185

Scenario Details:

- Mill levy estimated at 52.990.
- Minimum fund balance \$2.0 million.
- Reduces current fund balance to \$1.9 million.

Budget Options – 25% Valuation Scenario

Revenue:

- Adds \$157,565 in property tax revenue
- Transfer from utilities (+\$140,000)
- Increase Stormwater Franchise Fee (+\$5,000)
- Reductions could be offset with Excess Sales Tax funds; EST Committee did not recommend.

Expenditures:

- Prisoner Care (+\$45,000)
- Reallocate 2 FTEs to Water (-\$200,000)
- Lease Payoffs (-\$64,000)
 - 3 vehicles at \$12,000/year each for the next 2 years
 - 2 vehicles at \$14,000/year each for the next 3 years
 - Total Payoff 12/31/26 \$160,000 from Equipment Reserve (Fund Balance after payment would be \$650,000)
- 2% Employee Compensation Adjustment (+\$223,141)

Budget Options – 50% Valuation Scenario

Fund	Revenue Neutral	25% Valuation	50% Valuation	80% Valuation	100% Valuation
General	38.223	39.603	40.721	41.671	43.789
Debt Service	8.005	8.005	8.005	8.005	8.005
Library	4.476	4.476	4.476	4.476	4.476
Airport	0.857	0.871	0.871	0.857	0.857
Industrial	0.314	0.314	0.314	0.314	0.314
TOTAL	51.875	52.990	54.387	55.337	57.455
Surplus/(Deficit)	(\$326,614)	(\$296,015)	(\$136,015)	\$0	\$303,185

Scenario Details:

- Mill levy estimated at 54.387.
- Minimum fund balance \$2.0 million.
- Reduces current fund balance to \$2.0 million.

Budget Options – 50% Valuation Scenario

Revenue:

- Adds \$357,565 in property tax revenue
- Transfer from utilities (+\$140,000)
- Increase Stormwater Franchise Fee (+\$5,000)
- Reductions could be offset with Excess Sales Tax funds; EST Committee did not recommend.

Expenditures:

- Prisoner Care (+\$45,000)
- Reallocate 2 FTEs to Water (-\$200,000)
- Lease Payoffs (-\$64,000)
 - 3 vehicles at \$12,000/year each for the next 2 years
 - 2 vehicles at \$14,000/year each for the next 3 years
 - Total Payoff 12/31/26 \$160,000 from Equipment Reserve (Fund Balance after payment would be \$650,000)
- 2% Employee Compensation Adjustment (+\$223,141)

Budget Options – 80% Valuation Scenario

Fund	Revenue Neutral	25% Valuation	50% Valuation	80% Valuation	100% Valuation
General	38.223	39.603	40.721	41.671	43.789
Debt Service	8.005	8.005	8.005	8.005	8.005
Library	4.476	4.476	4.476	4.476	4.476
Airport	0.857	0.871	0.871	0.857	0.857
Industrial	0.314	0.314	0.314	0.314	0.314
TOTAL	51.875	52.990	54.387	55.337	57.455
Surplus/(Deficit)	(\$326,614)	(\$296,015)	(\$136,015)	\$0	\$303,185

Scenario Details:

- Mill levy estimated at 55.337.
- Minimum fund balance \$2.0 million.
- Maintains current fund balance at \$2.1 million.

Budget Options – 80% Valuation Scenario

Revenue:

- Adds \$493,565 in property tax revenue
- Transfer from utilities (+\$140,000)
- Increase Stormwater Franchise Fee (+\$5,000)
- Reductions could be offset with Excess Sales Tax funds; EST Committee did not recommend.

Expenditures:

- Prisoner Care (+\$45,000)
- Reallocate 2 FTEs to Water (-\$200,000)
- Lease Payoffs (-\$64,000)
 - 3 vehicles at \$12,000/year each for the next 2 years
 - 2 vehicles at \$14,000/year each for the next 3 years
 - Total Payoff 12/31/26 \$160,000 from Equipment Reserve (Fund Balance after payment would be \$650,000)
- 2% Employee Compensation Adjustment (+\$223,141)

Budget Options – 100% Valuation Scenario

Fund	Revenue Neutral	25% Valuation	50% Valuation	80% Valuation	100% Valuation
General	38.223	39.603	40.721	41.671	43.789
Debt Service	8.005	8.005	8.005	8.005	8.005
Library	4.476	4.476	4.476	4.476	4.476
Airport	0.857	0.871	0.871	0.857	0.857
Industrial	0.314	0.314	0.314	0.314	0.314
TOTAL	51.875	52.990	54.387	55.337	57.455
Surplus/(Deficit)	(\$326,614)	(\$296,015)	(\$136,015)	\$0	\$303,185

Scenario Details:

- Mill levy estimated at 57.455.
- Minimum fund balance \$2.0 million.
- Option increases fund balance to \$2.4 million.

Budget Options – 100% Valuation Scenario

Revenue:

- Adds \$796,765 in property tax revenue
- Transfer from utilities (+\$140,000)
- Increase Stormwater Franchise Fee (+\$5,000)

Expenditures:

- Prisoner Care (+\$45,000)
- Reallocate 2 FTEs to Water (-\$200,000)
- Lease Payoffs (-\$64,000)
 - 3 vehicles at \$12,000/year each for the next 2 years
 - 2 vehicles at \$14,000/year each for the next 3 years
 - Total Payoff 12/31/26 \$160,000 from Equipment Reserve (Fund Balance after payment would be \$650,000)
- 2% Employee Compensation Adjustment (+\$223,140)
- May include additional 1% Employee Compensation Adjustment (+\$140,085)

Budget Scenarios – Financial Impact

	Revenue Neutral	25% Valuation	50% Valuation	80% Valuation	100% Valuation
Residential (\$85,000)	\$507	\$11	\$27	\$34	\$55
Residential (\$100,000)	\$597	\$13	\$29	\$40	\$64
Residential (\$250,000)	\$1,491	\$32	\$72	\$100	\$160
Commercial (\$275,000)	\$3,566	\$77	\$172	\$238	\$384
Commercial (\$1.5 m)	\$19,453	\$418	\$942	\$1,298	\$2,093
Commercial (\$9.5 m)	\$123,203	\$2,648	\$5,966	\$8,222	\$13,253
Industrial (\$4.3 m)	\$55,766	\$1,199	\$2,700	\$3,722	\$5,999
Industrial (\$29.2 m)	\$378,688	\$8,140	\$10,278	\$17,133	\$40,734

Note:

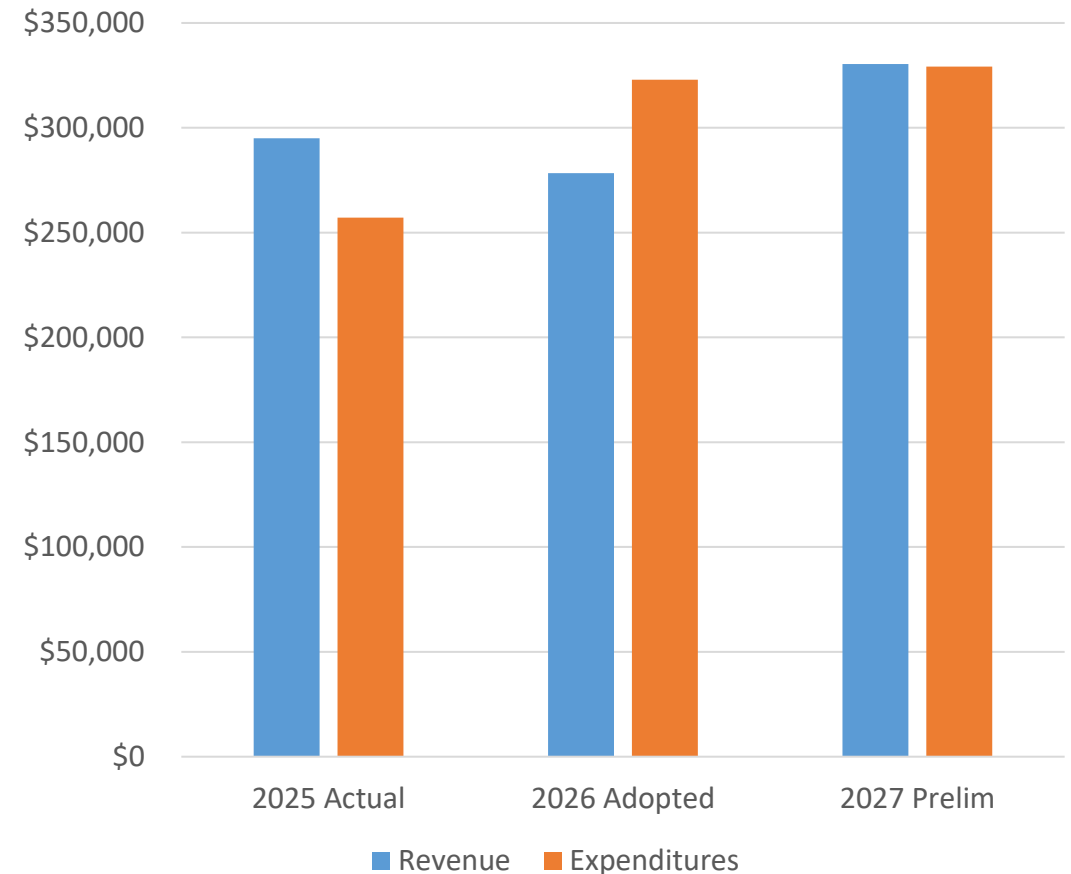
- Valuation represents appraised valuation. Assessed valuation may be calculated by multiplying by assessed valuation factor, which is 11.5% for residential and 25% for commercial and industrial.
- Table shows estimated change to the City's share of property taxes at various valuations. It does not include changes arising from other taxing jurisdictions.

Other Mill Levy Funds

2027 Preliminary Budget

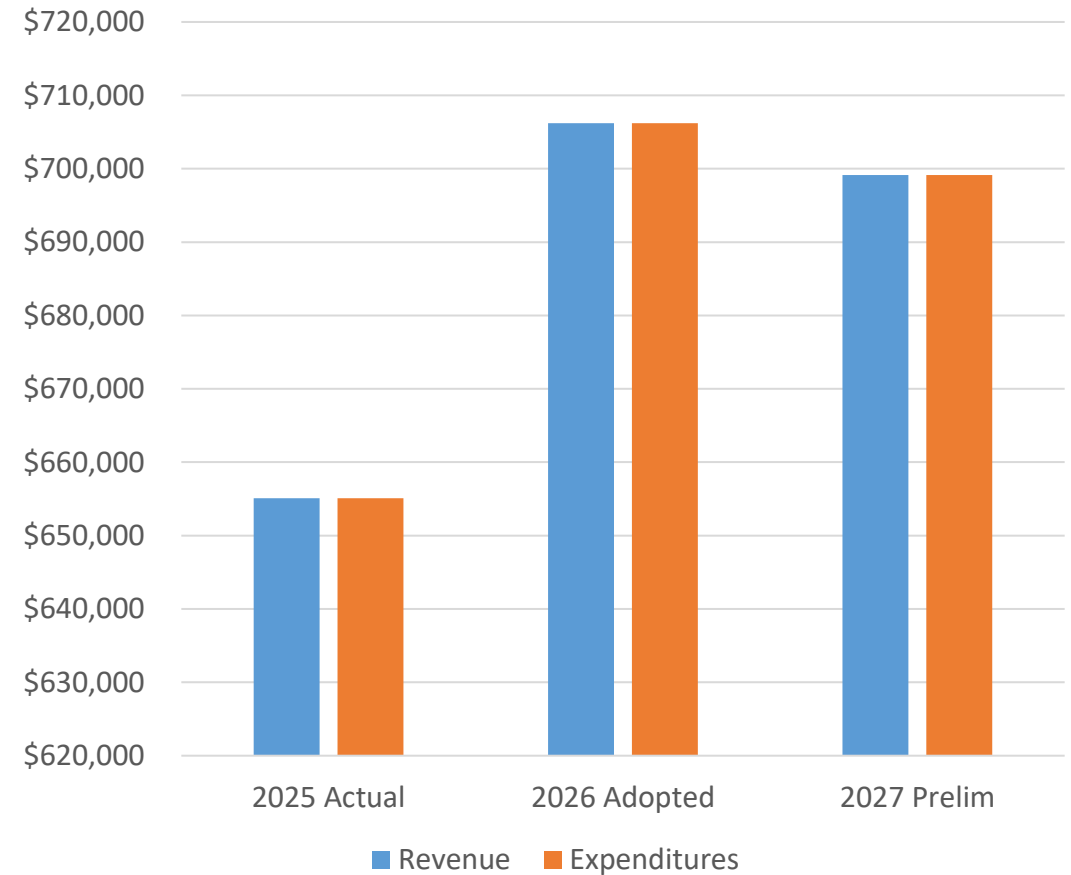
Airport Fund

- The Captain Jack Thomas Memorial Airport has 45 hangar spaces and a building that is rented to a local aviation business. Hangar revenue generates about \$82,000 per year.
- Annual fuel sales generate approximately \$100,000.
- The airport also has a hay lease that generates \$9,000 per year.
- This year, the airport will finish debt payments associated with the last completed T-hangar expansion project.
- The City will budget to set aside \$150,000 for future FAA-approved project and building maintenance.
- Expected fund balance of \$150,000 at year-end.



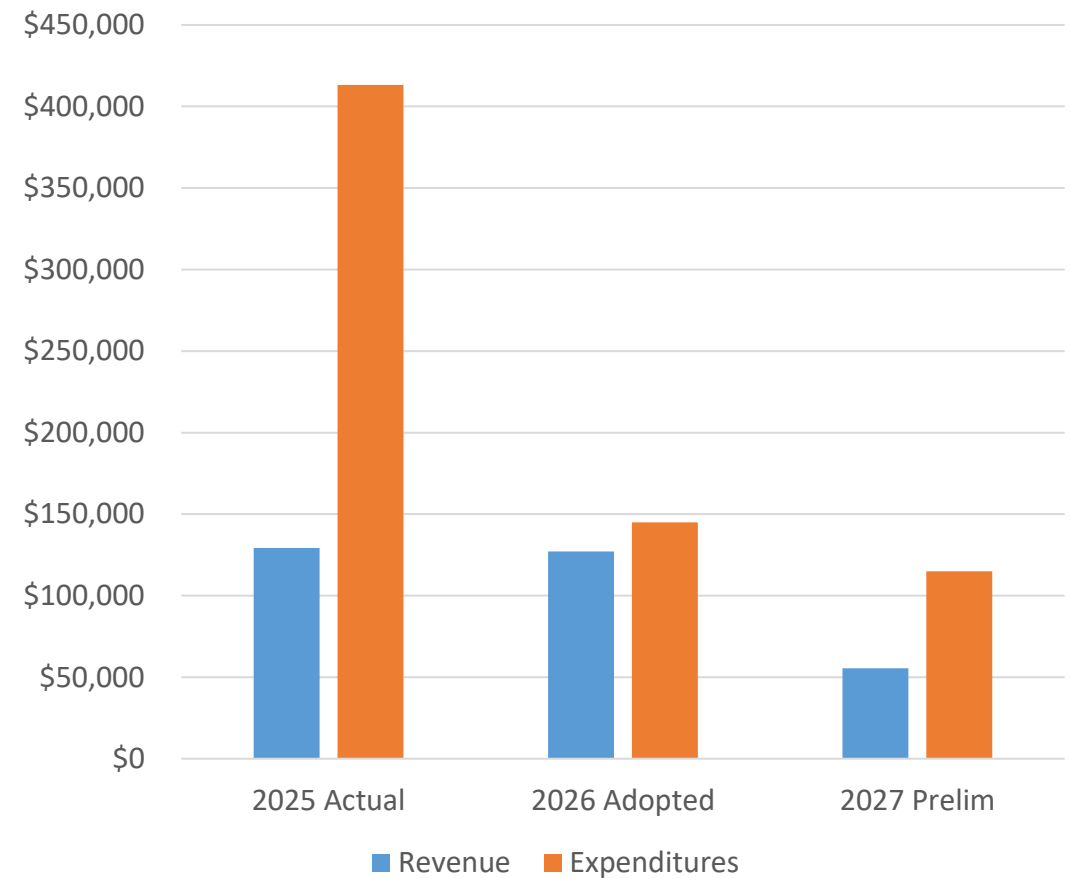
Library Fund

- The Library Mill Levy Fund exists solely for the purpose of bringing in property tax revenue to fund the Bradford Memorial Library.
- Funds are transferred directly to the Library's operating fund.
- The City does not have direct oversight of these funds; it merely serves as the taxing jurisdiction of authority.
- By charter ordinance, the Library Fund can request a mill levy of up to five mills to fund its operations.



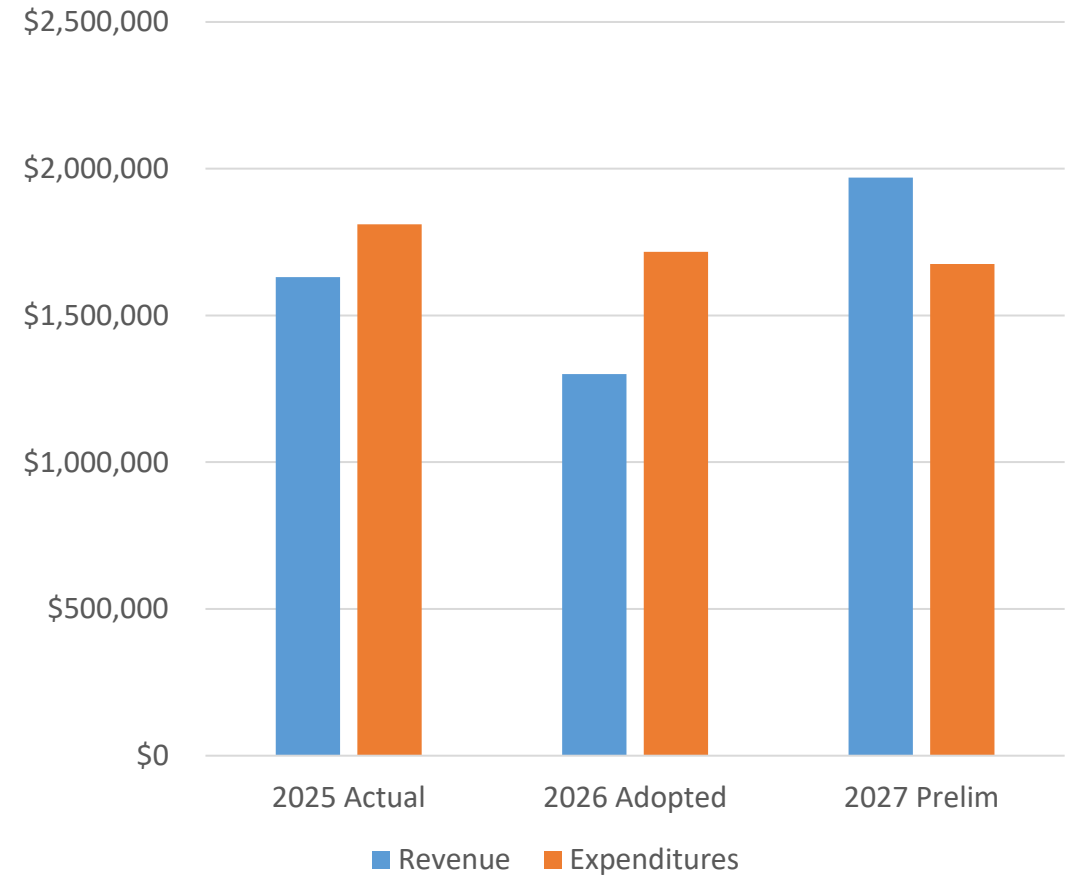
Industrial Mill Levy Fund

- The City pays El Dorado Inc. \$68,500 per year for economic development services, as provided in a Memorandum of Understanding between the City and Inc.
- By ordinance, the City matches investor contributions up to a maximum of one mill (equal to about \$140,000). Historically, the City has matched approximately \$46,000.
- In 2027, the City plans to budget \$115,000, which is the average payment over the last three years.
- Expected fund balance of \$100,000 at year-end.
- RNR Scenario reduces amount to Inc. by \$25,000, which reduces the fund balance to \$75,000.



Debt Service Fund

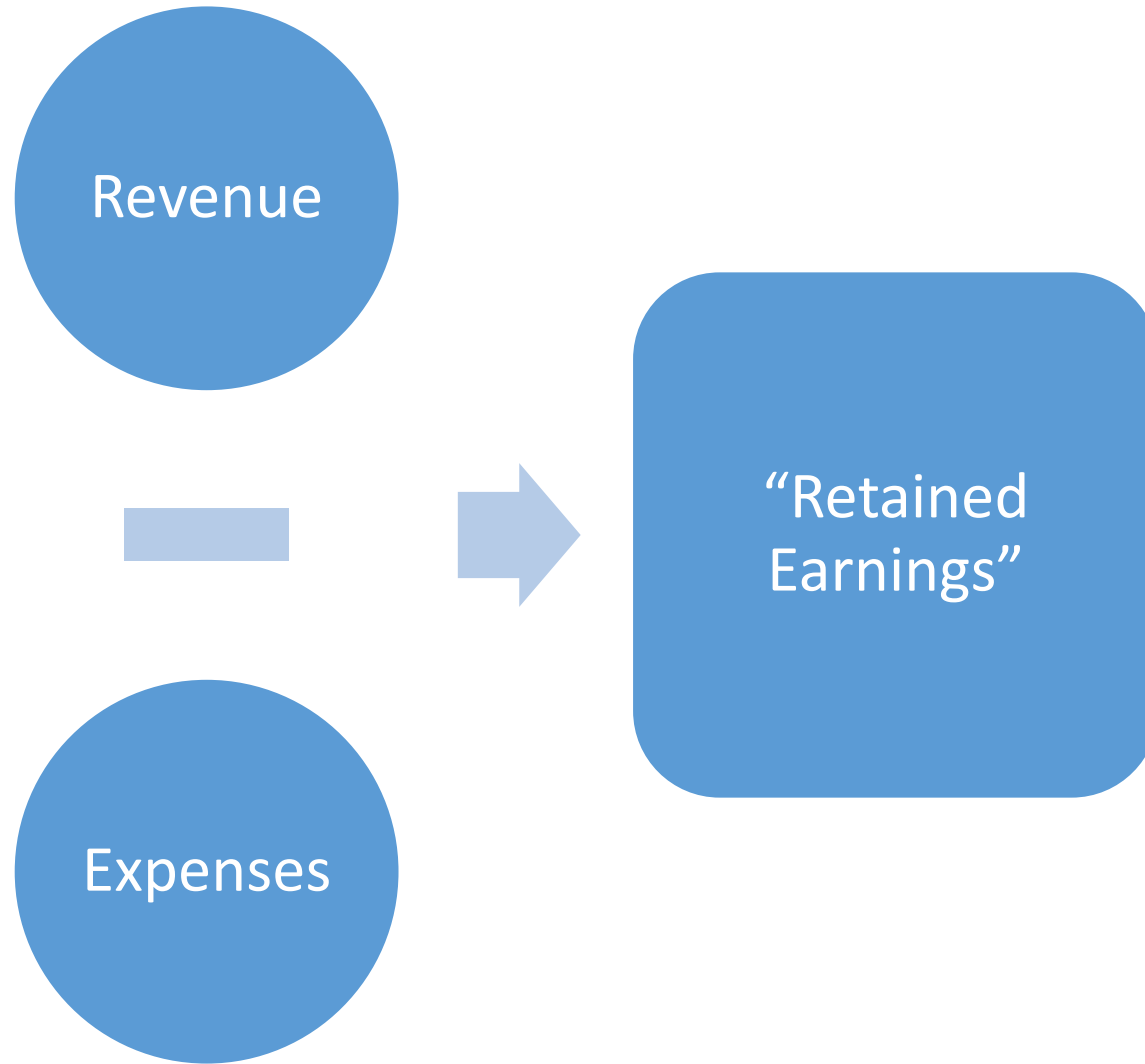
- The Debt Service Fund will make an estimated payment of \$1.65 million in 2027.
- Total outstanding obligations equal nearly \$22.4 million.
- The City is using 19% of its statutory debt limit.
- Debt per Capita is about \$1,290.
- 31% of outstanding G.O. debt is paid from special assessments.
- No bond issuances are planned in 2027.
- Expected fund balance of \$900,000 at year-end.



Proprietary Funds

2027 Preliminary Budget

Strategic Use of “Retained Earnings”

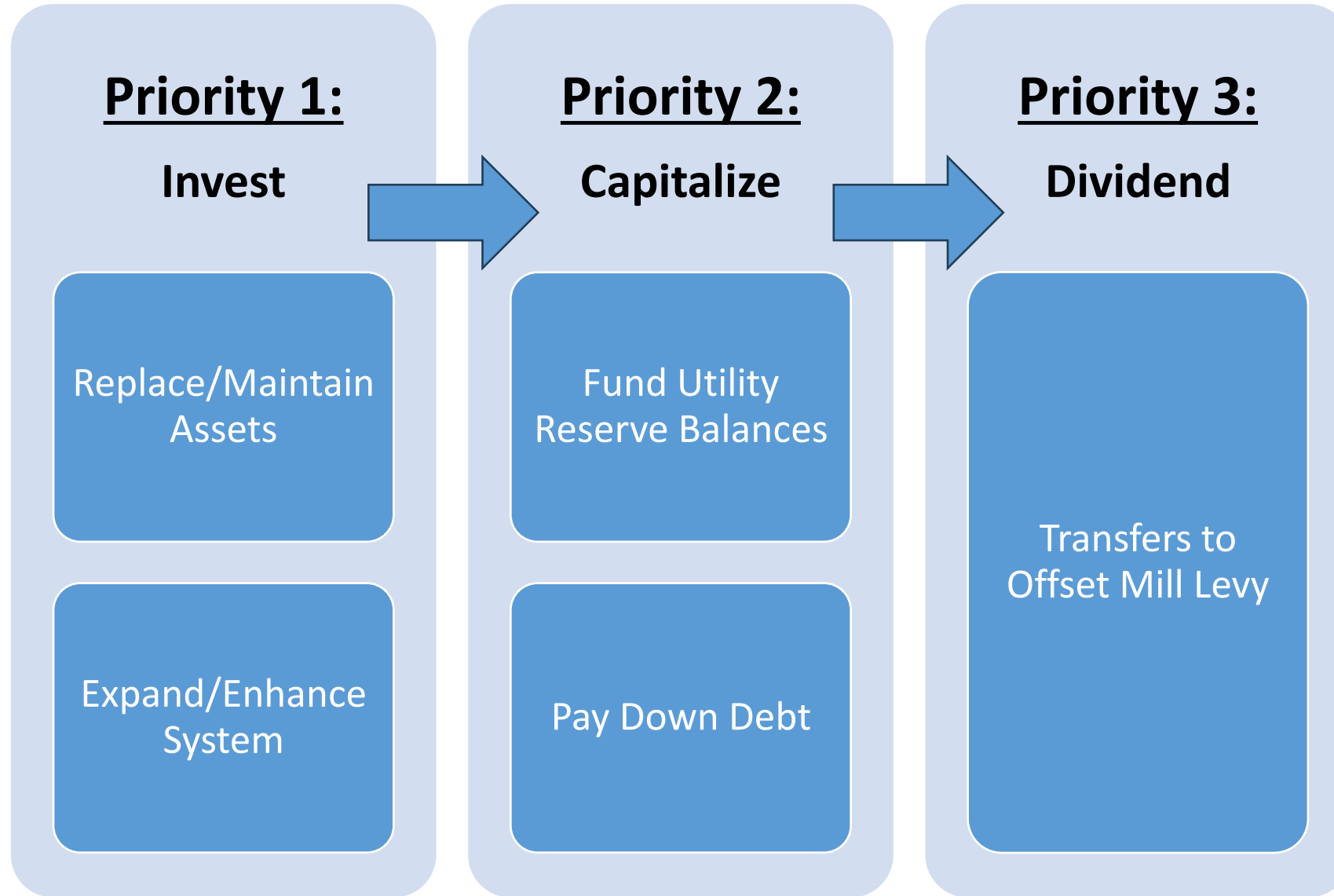


“Retained Earnings” are the funds that remain after operating and capital expenses and debt have been paid.

Enterprise Funds must strategically deploy its earnings to achieve operational goals:

- Investments that maintain/enhance the utility;
- Strengthen the financial capacity of the utility;
- Facilitate lower taxes and better services.

Strategic Use of “Retained Earnings”

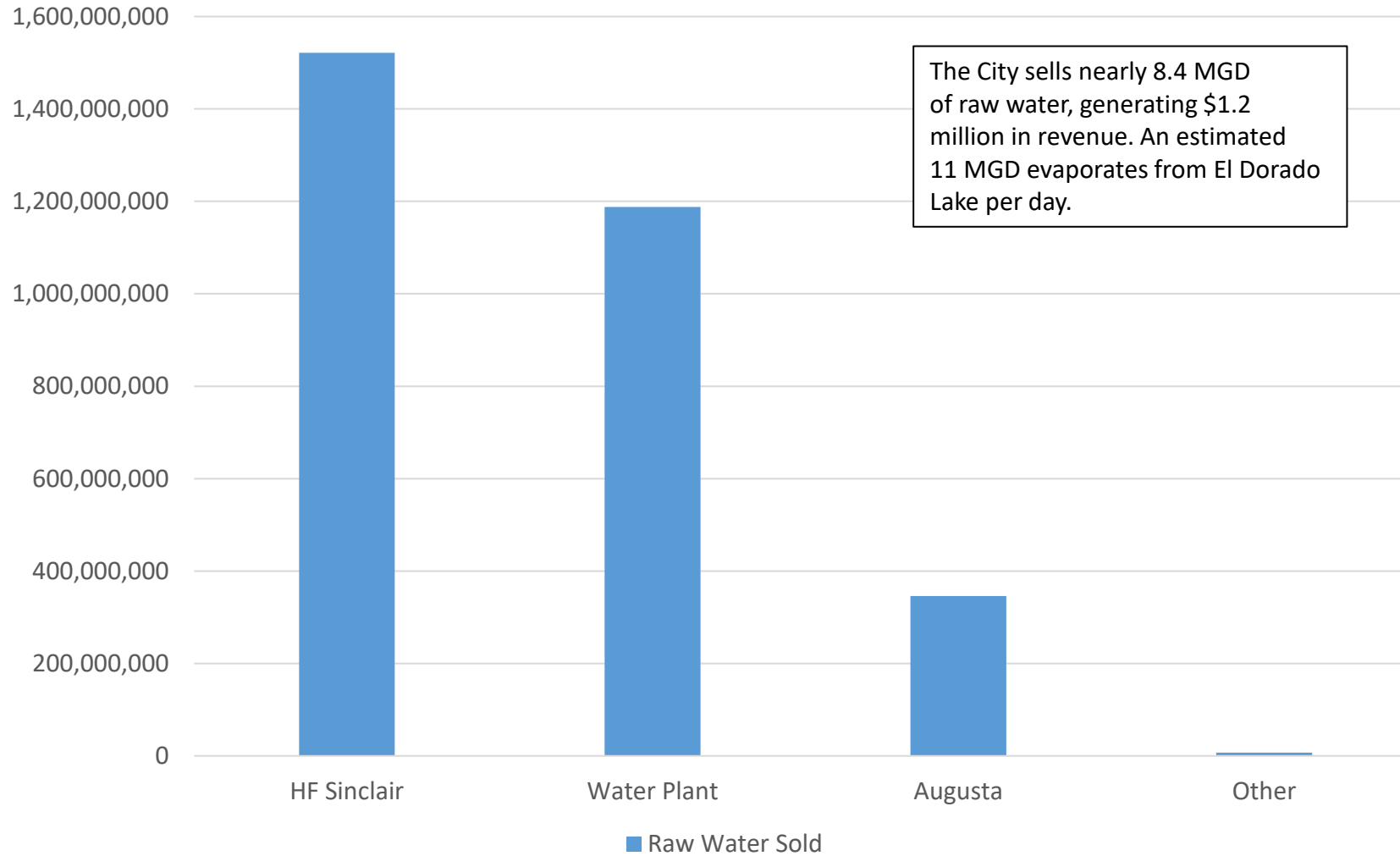


Water Fund

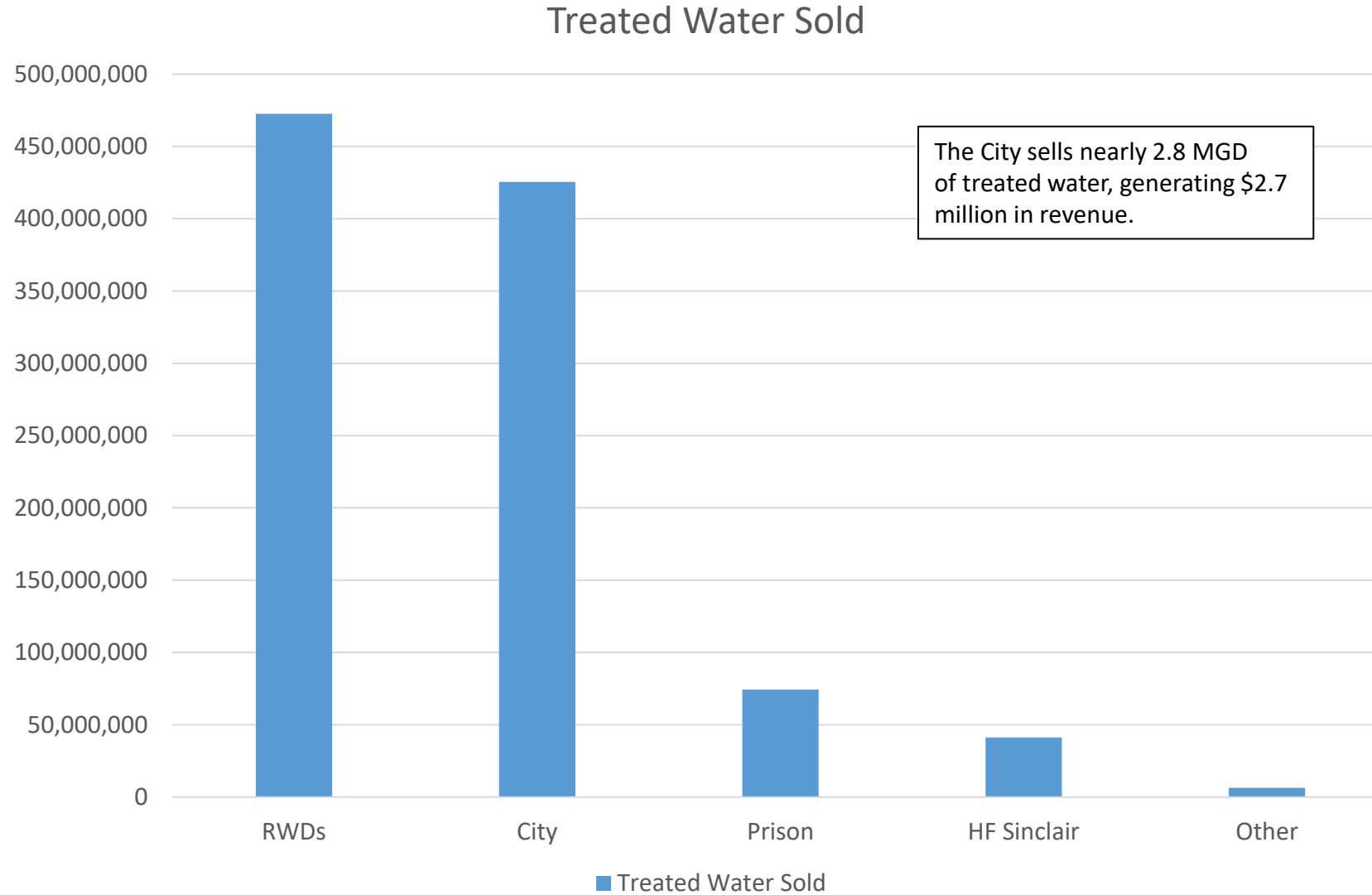
2027 Preliminary Budget

Water Treatment

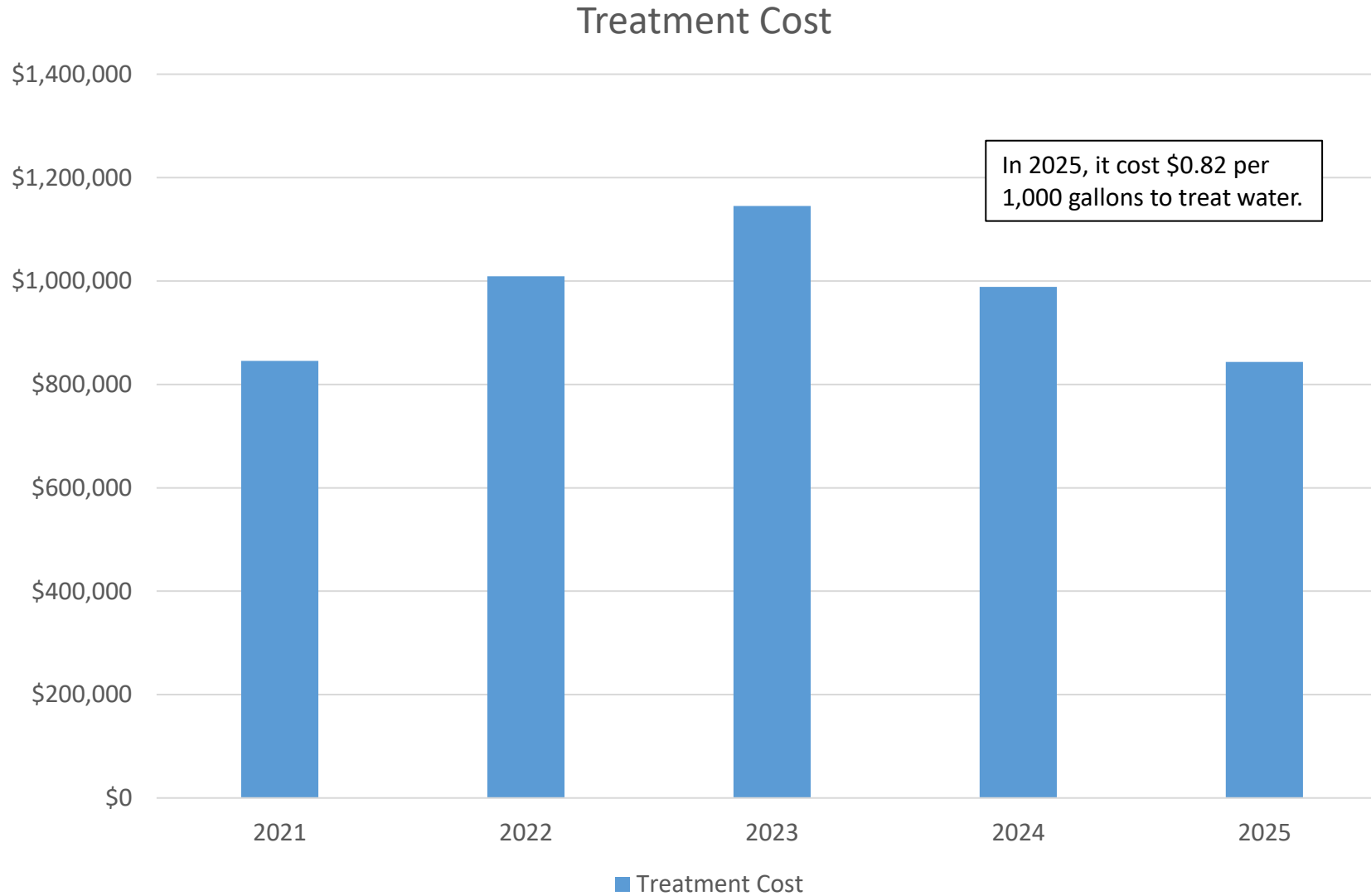
Raw Water Sold



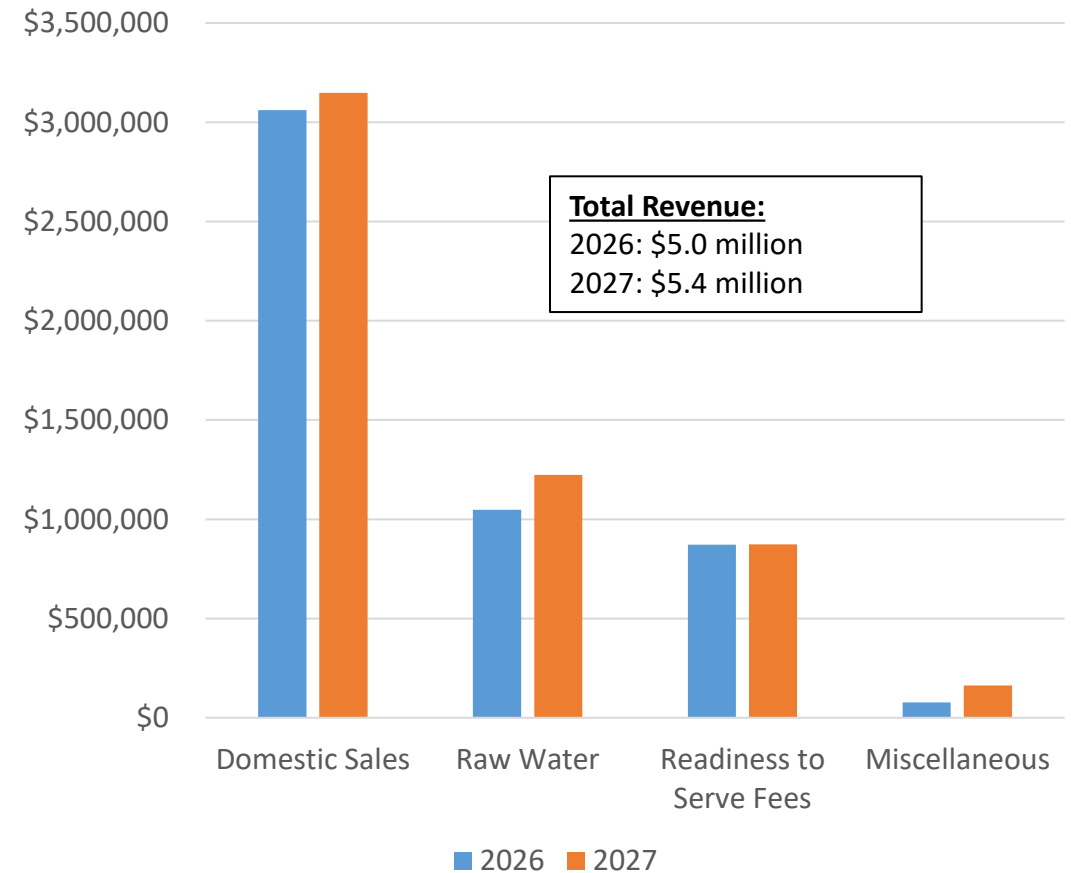
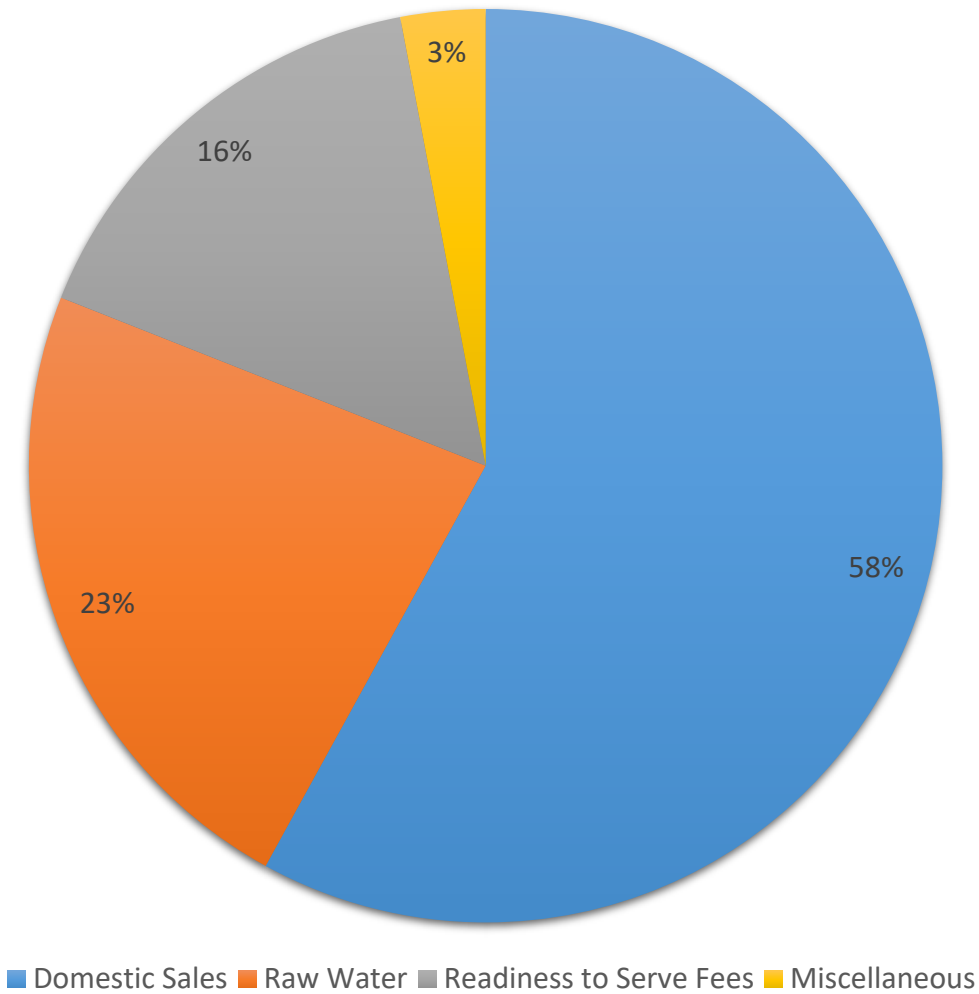
Water Treatment



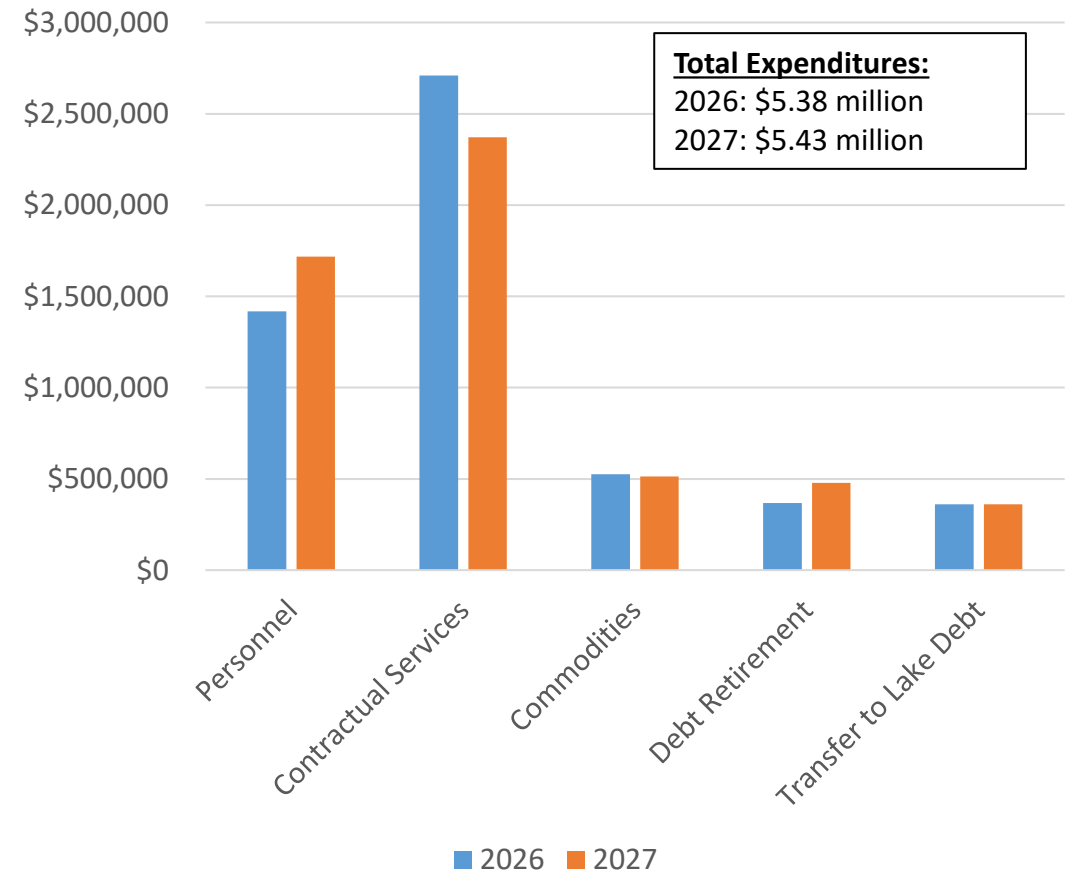
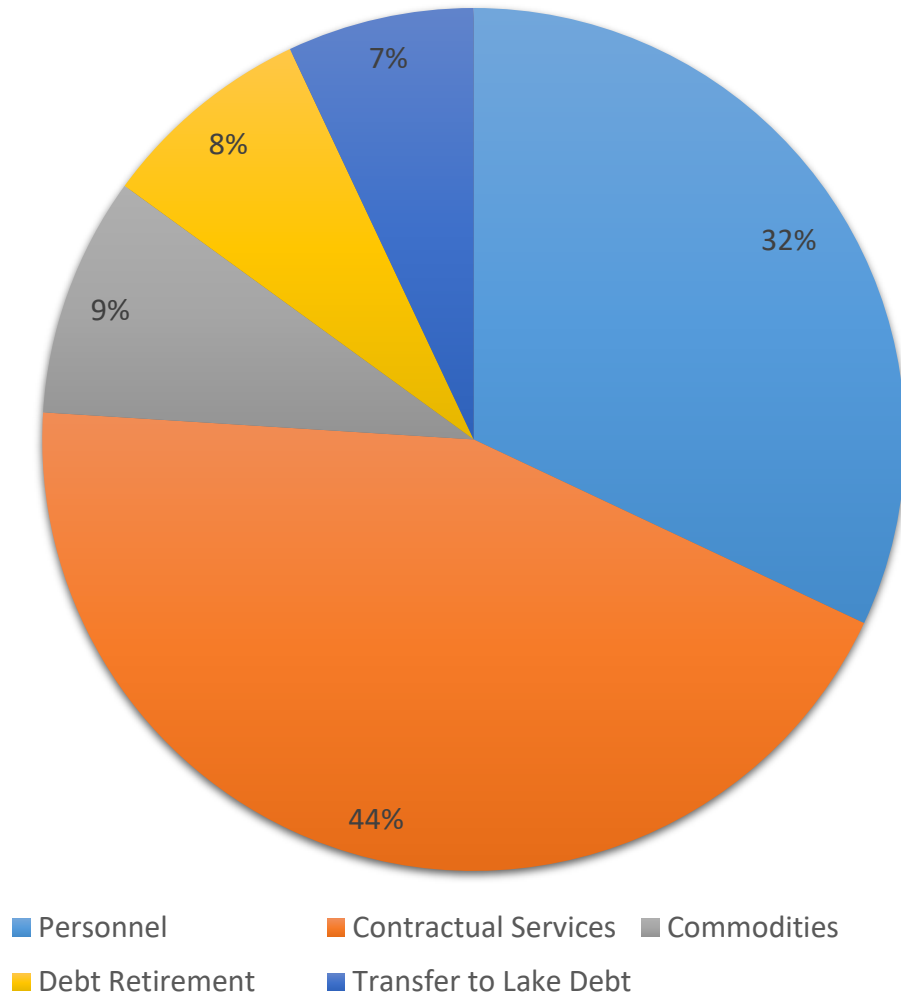
Water Treatment



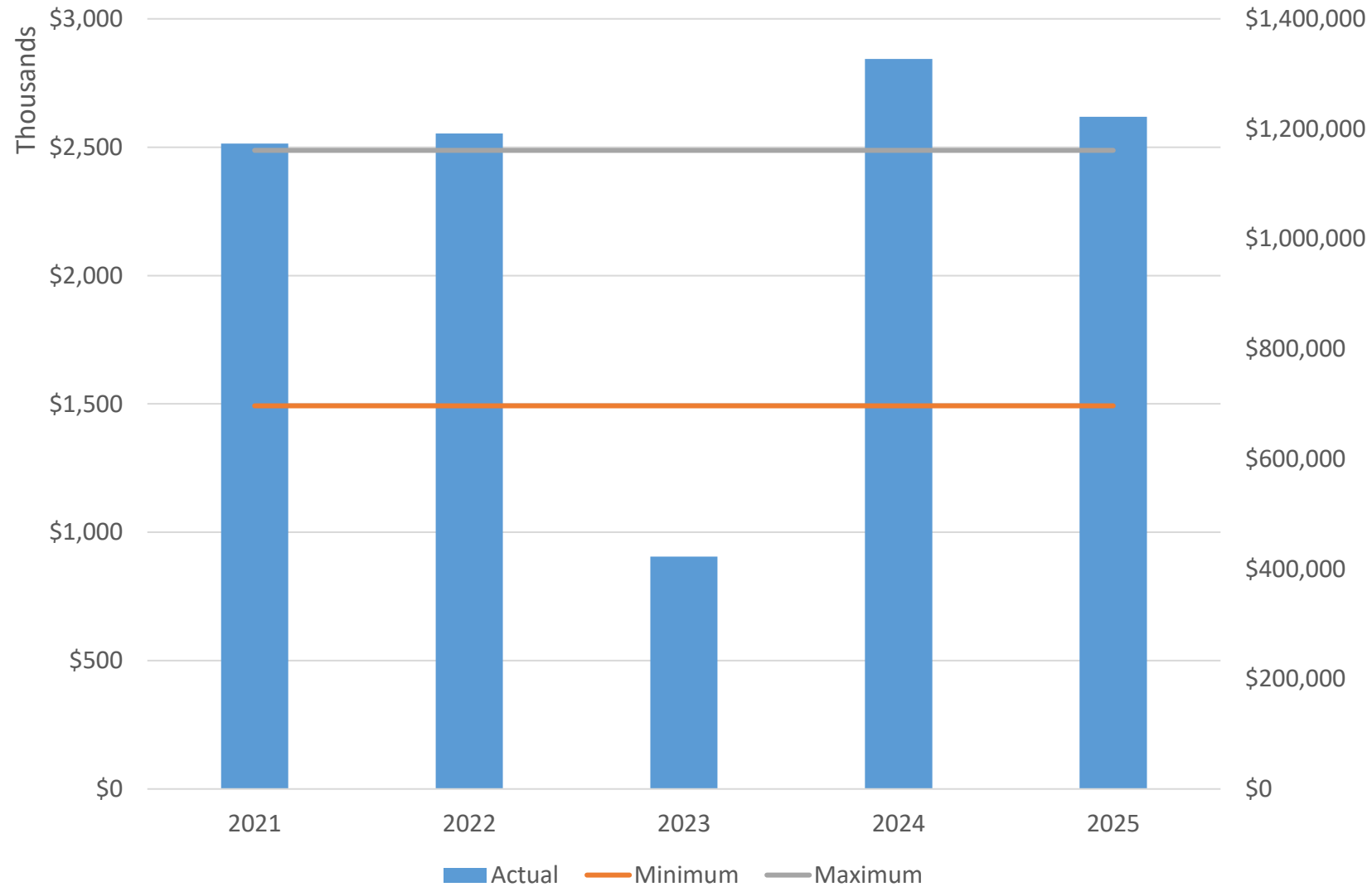
Water Fund: Revenue



Water Fund: Expenditures



Water Fund: Reserve Balance



Fund Highlights

Water Administration

- Expenditures: \$2.65 million
- 6 Employees:
 - 1 Director (City Engineer)
 - 1 GIS Technician
 - 1 Engineering Technician
 - 1 Meter Reader
 - 1 Accounts Receivable Clerk
 - 1 Administrative Assistant
- Fleet Leasing: \$12,000
- Franchise Fees: \$304,000
- Data Processing Services: \$592,000
- Reserve Transfers: \$200,000
- Debt Payments: \$410,000

Proposed 2027 Rates

- Volume:
 - Inside City: \$2.17/1,000 gallons
 - Outside City: \$2.09/1,000 gallons
- Raw Water: \$0.32
- There is no proposed increase for Readiness-to-Serve Fees
- Estimated monthly increase for average usage: \$1.01

Fund Highlights

Treatment Division

- Expenditures: \$3.47 million
- 5 Employees:
 - 1 Superintendent
 - 1 Chief Operator
 - 3 Plant Operators
- Lab Supplies: \$200,000
- Utilities: \$170,000
- Fleet Leasing: \$12,000

Distribution Division

- Expenditures: \$2.4 million
- 8 Employees:
 - 1 Foreman
 - 6 Equipment Operators
 - 1 Maintenance Worker
- Annual Infrastructure Improvements: \$200,000
- Fleet/Equipment Leasing: \$44,000

Supply

- Annual O&M Payment: \$260,000
- Transfer to Lake Debt Reserve: \$360,000

Outstanding Debt Obligations

- As of January 1, 2026, the Water Fund had the following outstanding debt obligations:

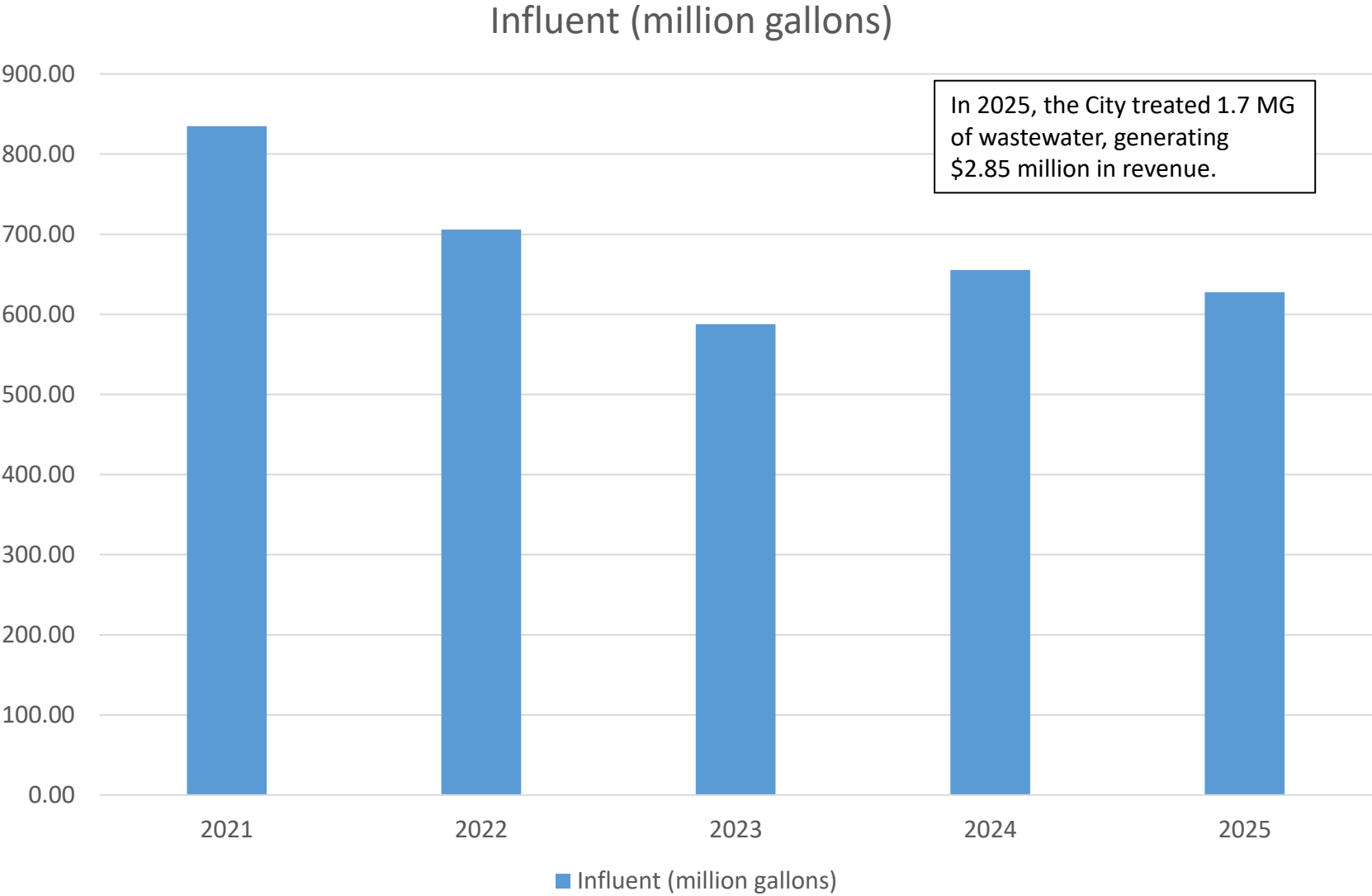
Debt Issue	Amount Outstanding	2026 Payment	2027 Payment	Maturity Date
2024-1 Temporary Note*	\$1,438,479	\$45,279	\$1,438,479	11/2027
2013 G.O. Bond	\$62,683	\$21,049	\$20,571	11/2028
2016 G.O. Bond	\$30,600	\$30,600	\$0	11/2027
2024 G.O. Bond	\$3,000,053	\$247,730	\$250,363	11/2044

** Balance will be rolled into long-term bonds at maturity.*

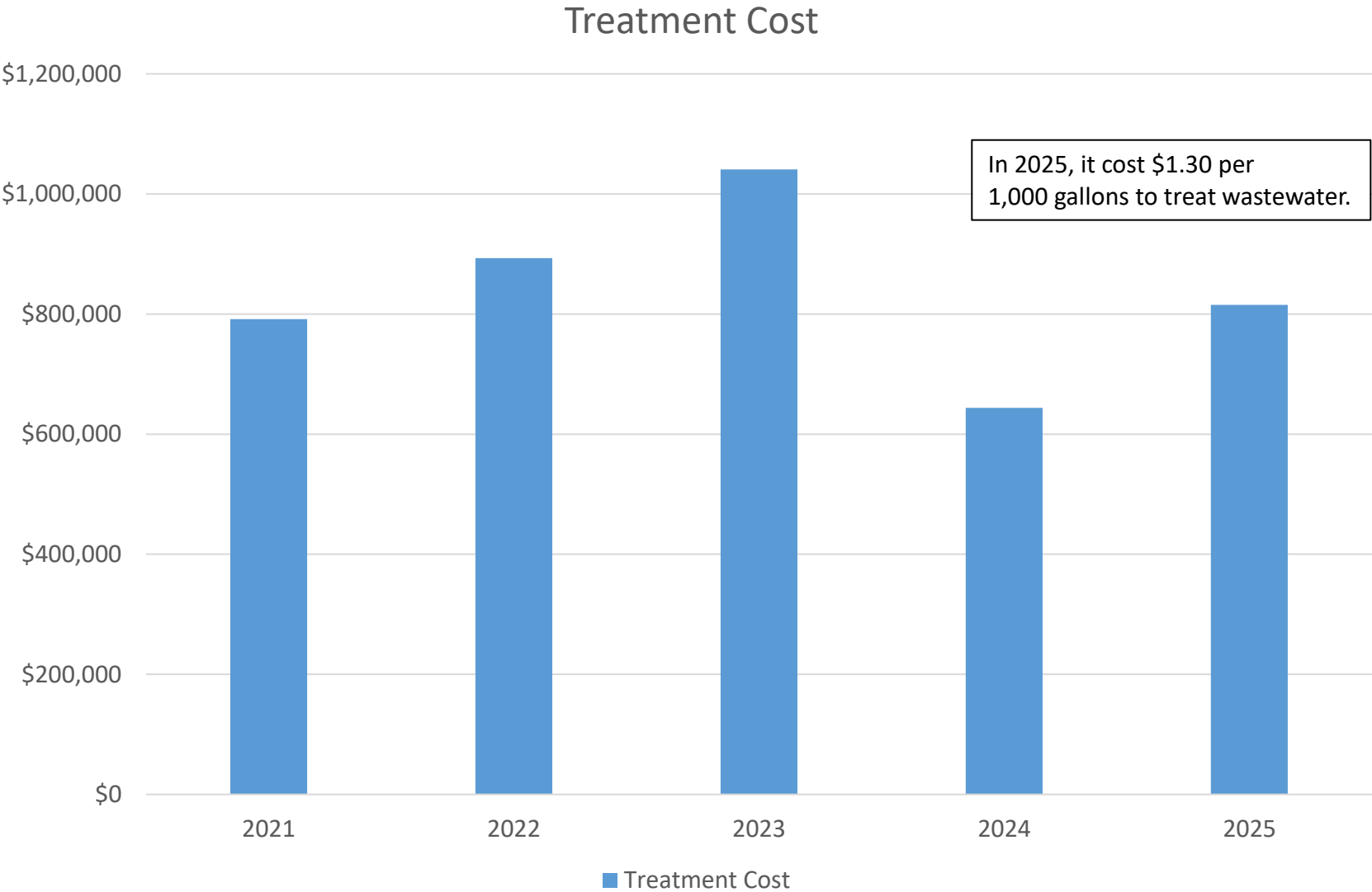
Sewer Fund

2027 Preliminary Budget

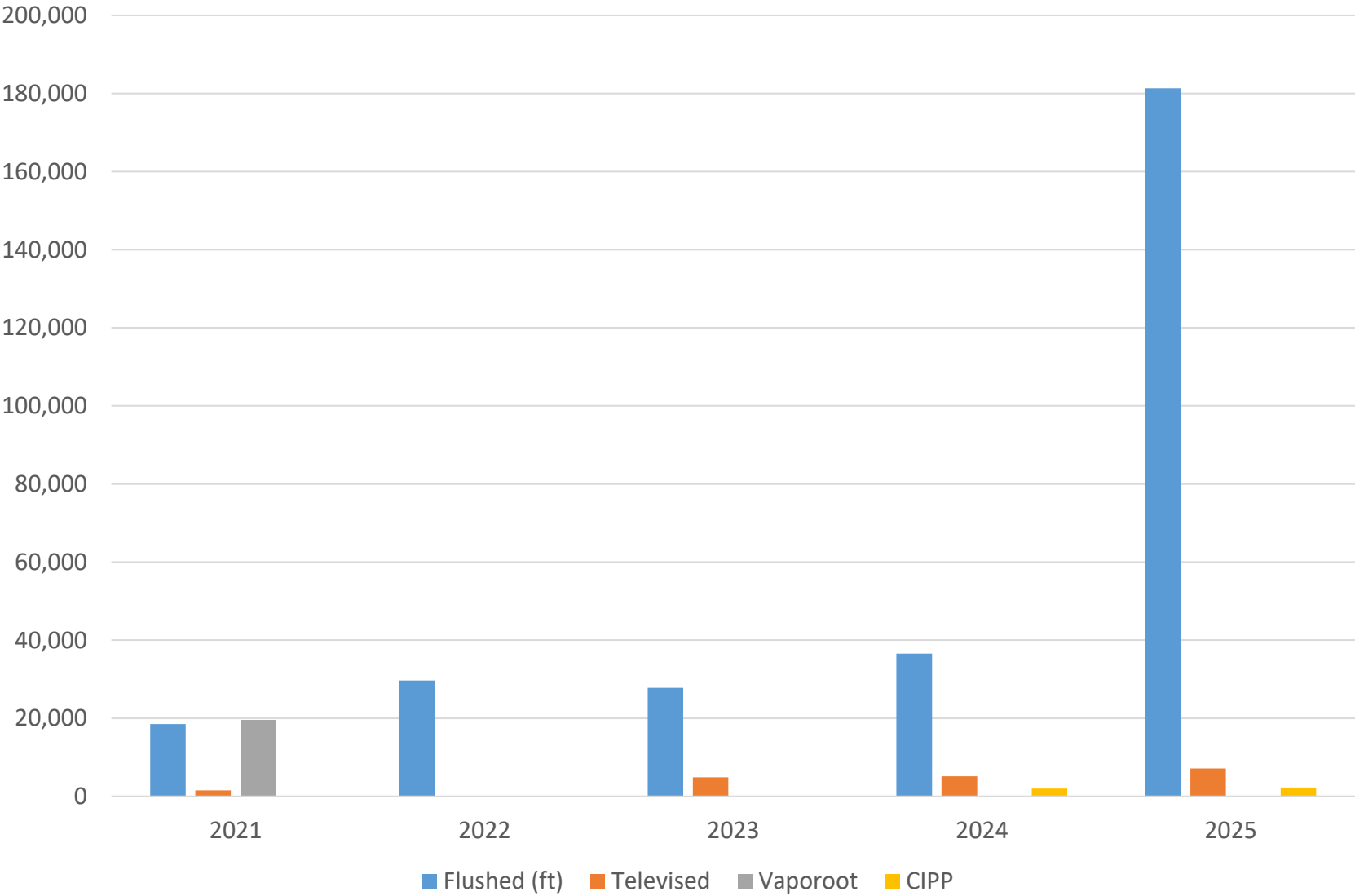
Sewer Treatment



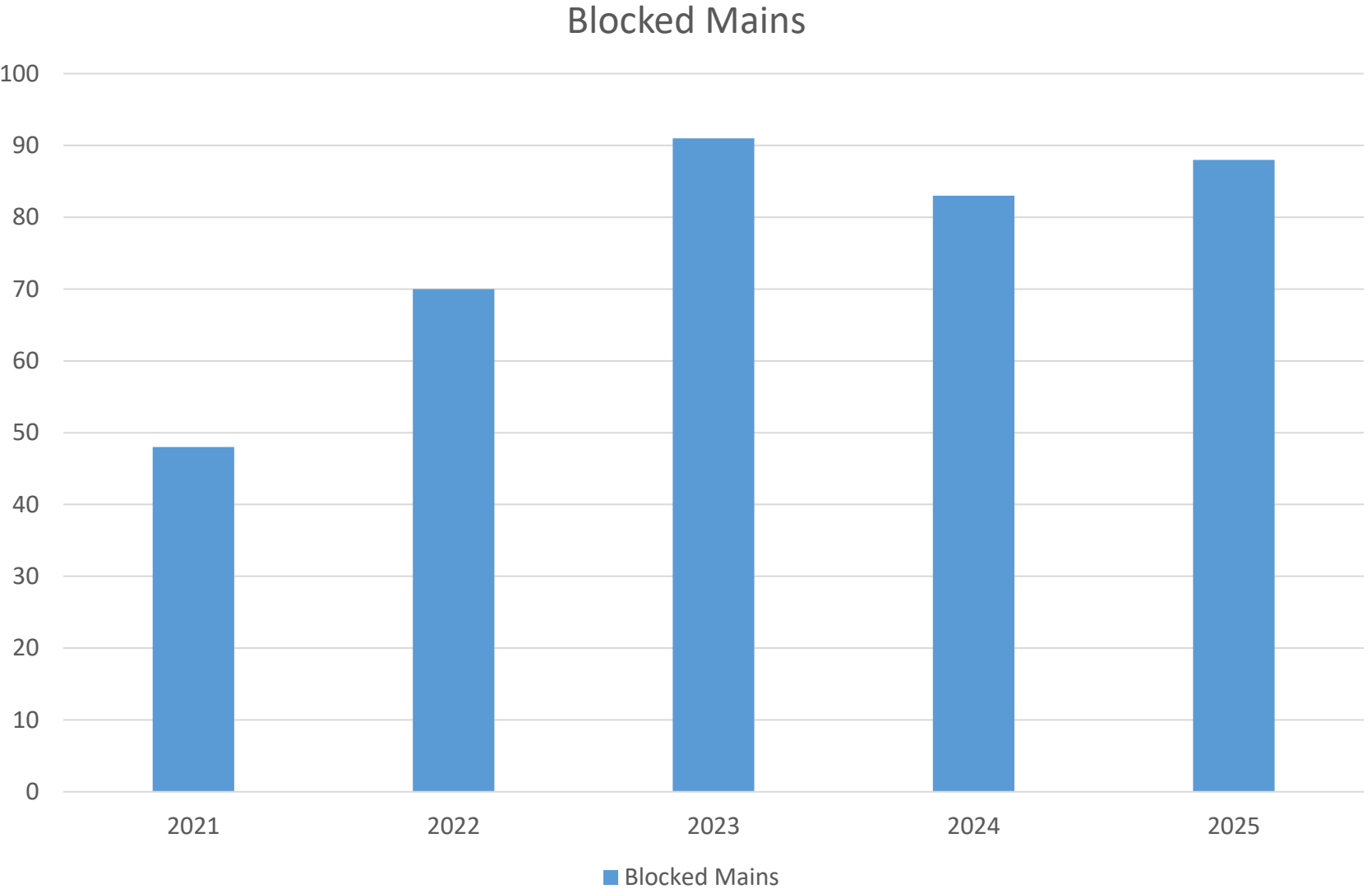
Sewer Treatment



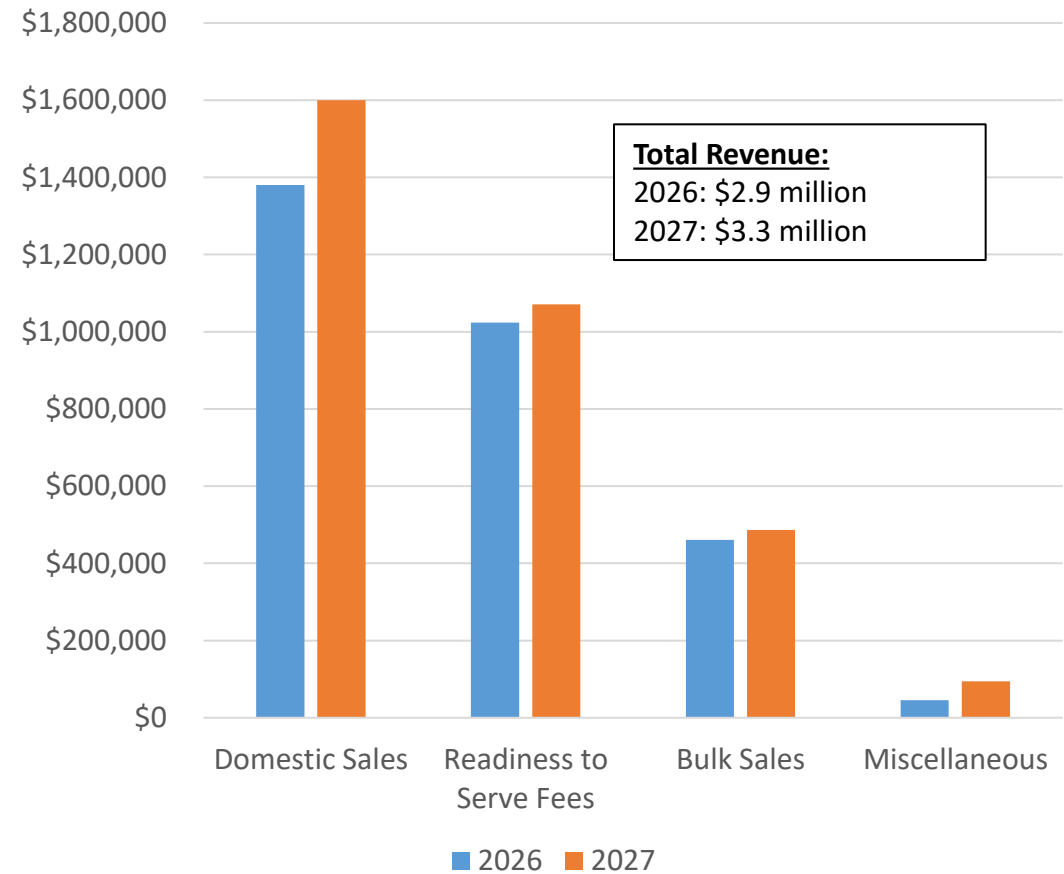
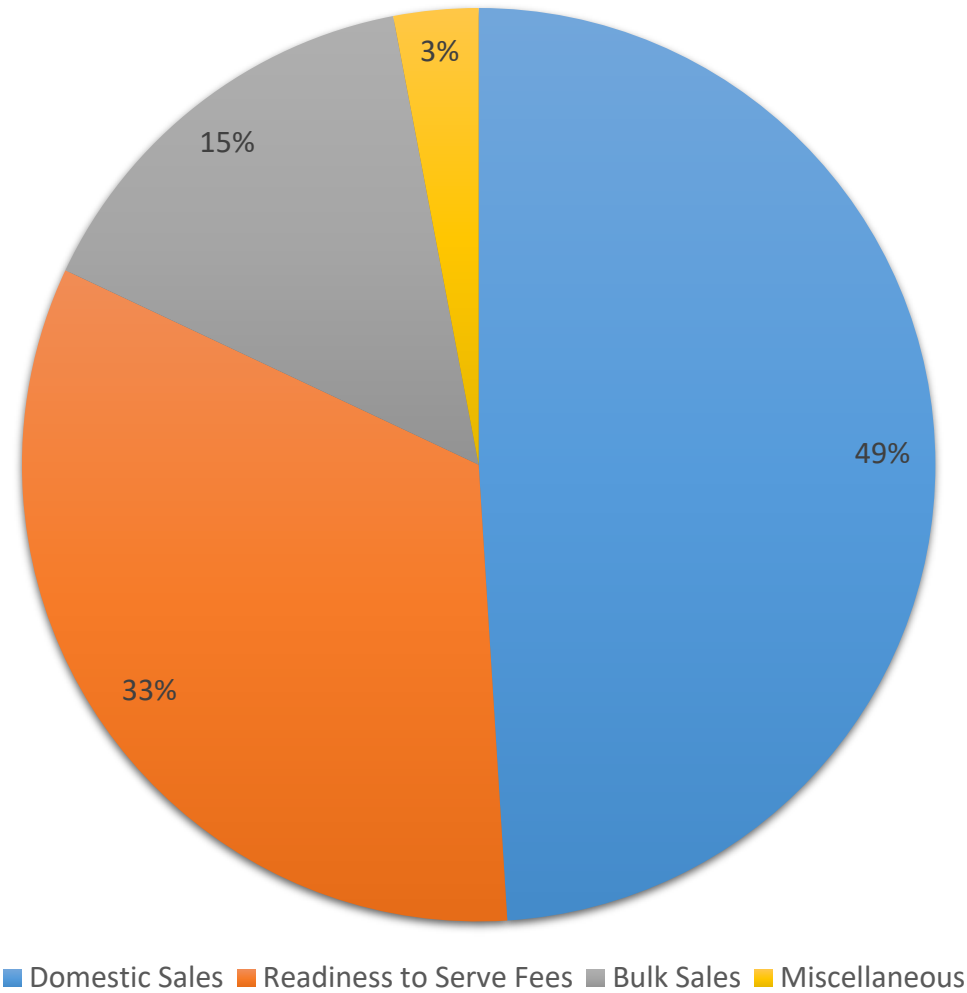
Sewer Collection



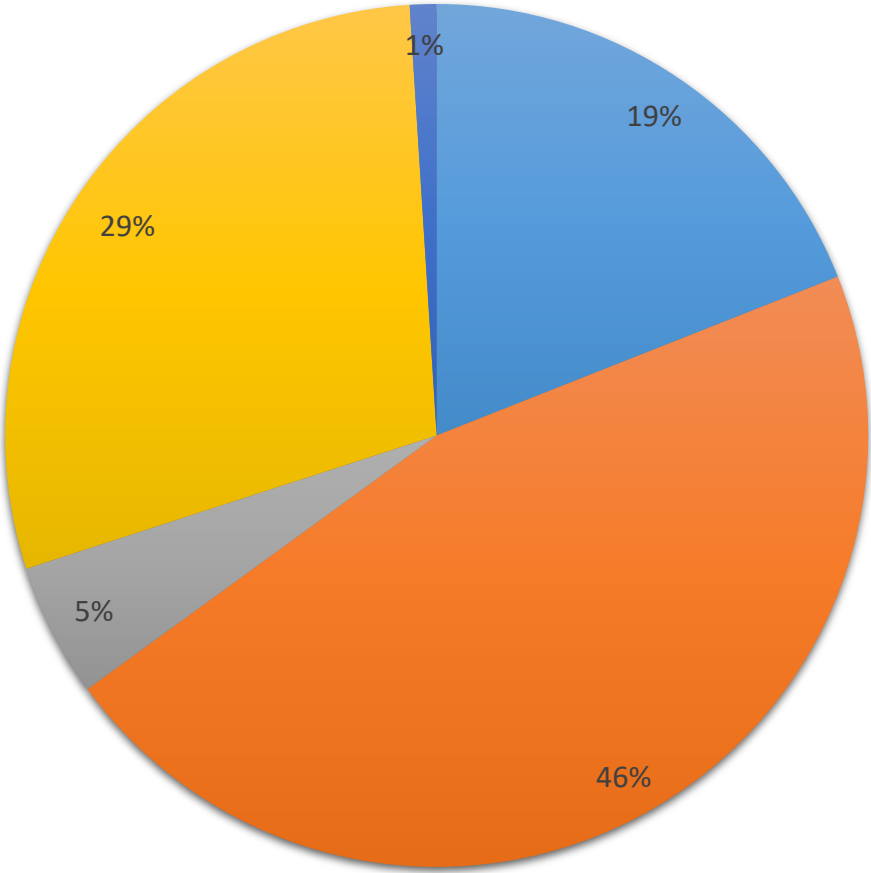
Sewer Collection



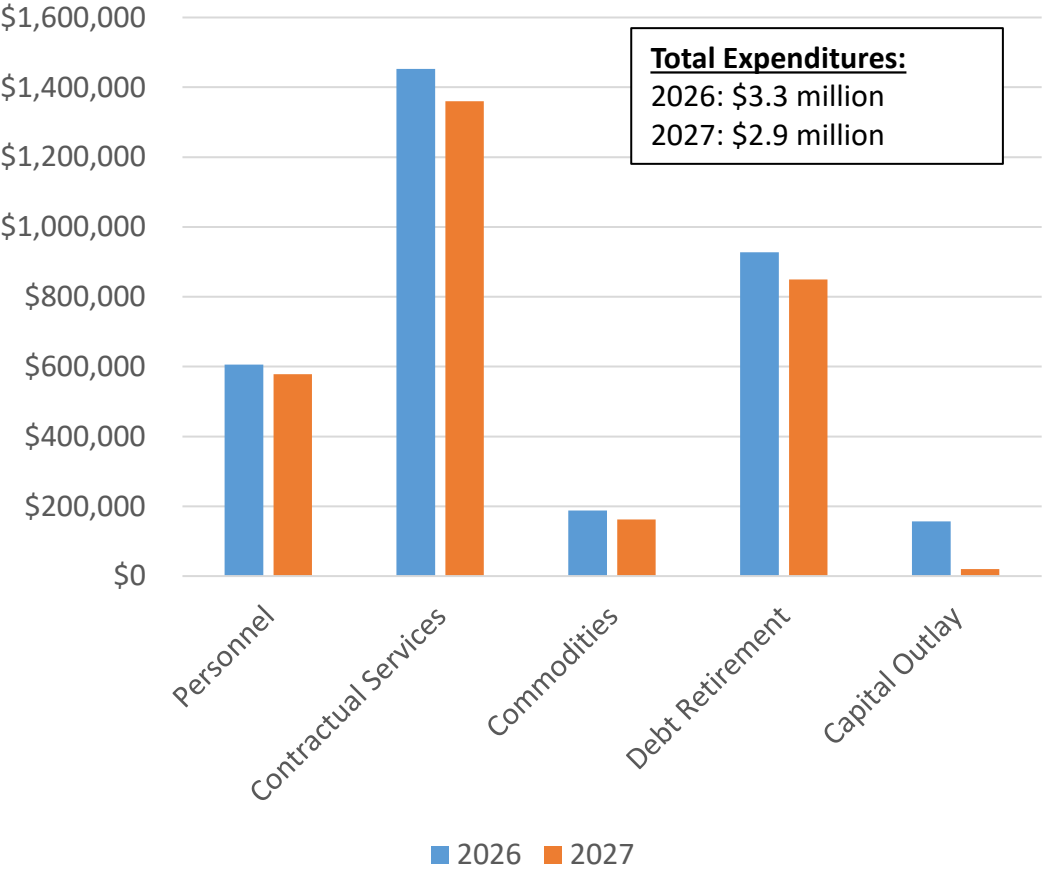
Sewer Fund: Revenue



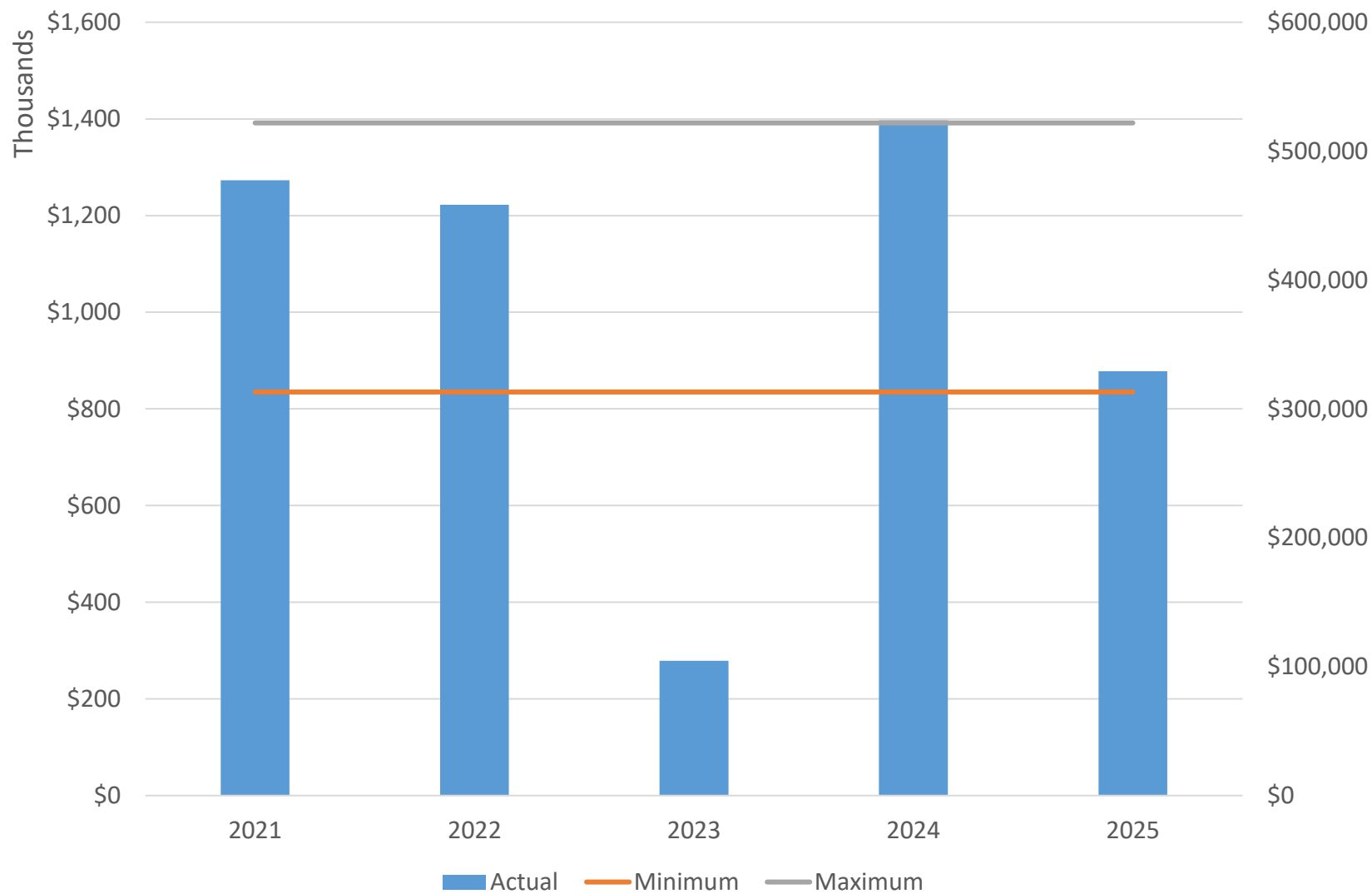
Sewer Fund: Expenditures



■ Personnel ■ Contractual Services ■ Commodities
■ Debt Retirement ■ Capital Outlay



Sewer Fund: Reserve Balance



Fund Highlights

Sewer Administration

- Expenditures: \$1.57 million
- Franchise Fees: \$175,000
- Data Processing Services: \$338,084
- Reserve Transfers: \$100,000
- Debt Payments: \$849,000

Proposed 2027 Rates

- **Volume:**
 - Inside City: \$4.02/1,000 gallons
 - Outside City: \$6.02/1,000 gallons
- **Readiness-to-Serve Fees:**
 - 1" - \$13.13
 - 1.5" - \$53.71
 - 2" - \$135.27
 - 3" - \$204.38
 - 4" - \$343.06
 - 6" - \$684.60
 - 8" - \$1,083.27
 - 12" - \$1,625.42
- Estimated monthly increase for average usage: \$1.19

Fund Highlights

Treatment Division

- Expenditures: \$3.47 million
- 5 Employees:
 - 1 Superintendent
 - 1 Chief Operator
 - 3 Plant Operators
- Utilities: \$195,000
- Lab Supplies: \$55,000



Collections Division

- Expenditures: \$2.4 million
- 2 Employees
 - 1 Superintendent (also supervisors Water Distribution staff)
 - 1 Maintenance Worker
- Annual Infrastructure Improvements: \$200,000



Outstanding Debt Obligations

- As of January 1, 2026, the Sewer Fund had the following outstanding debt obligations:

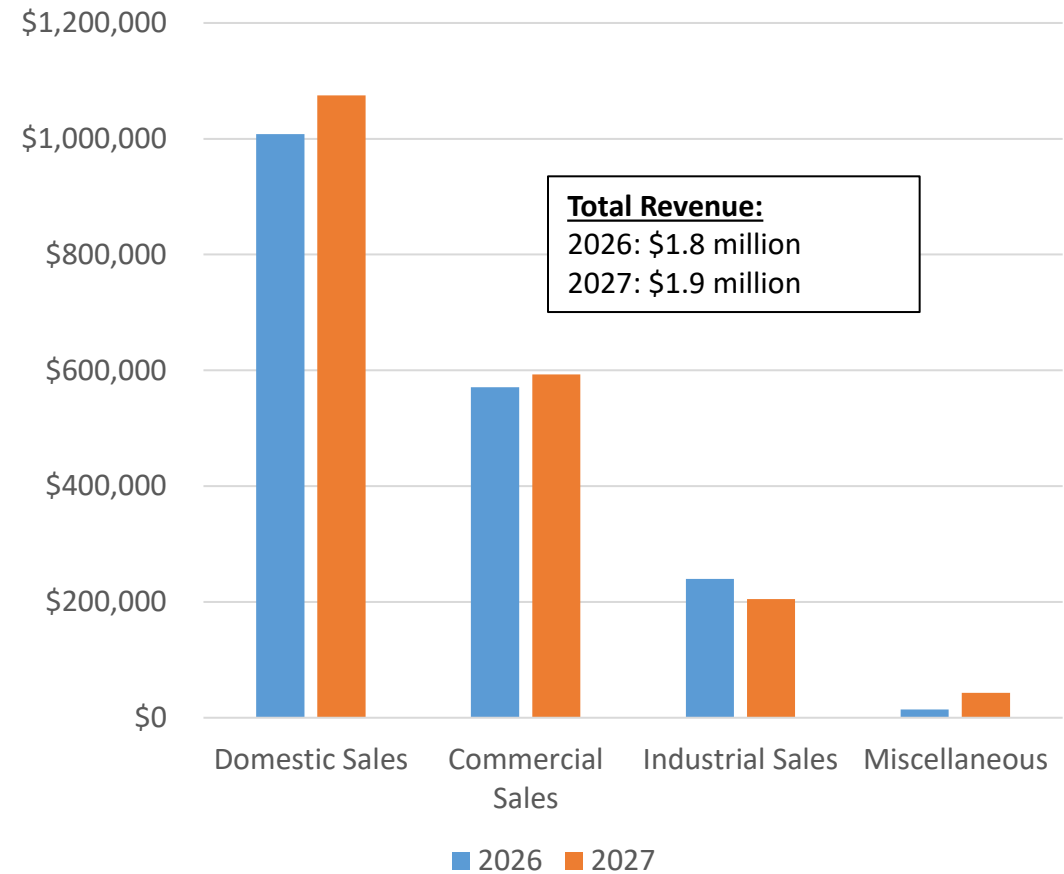
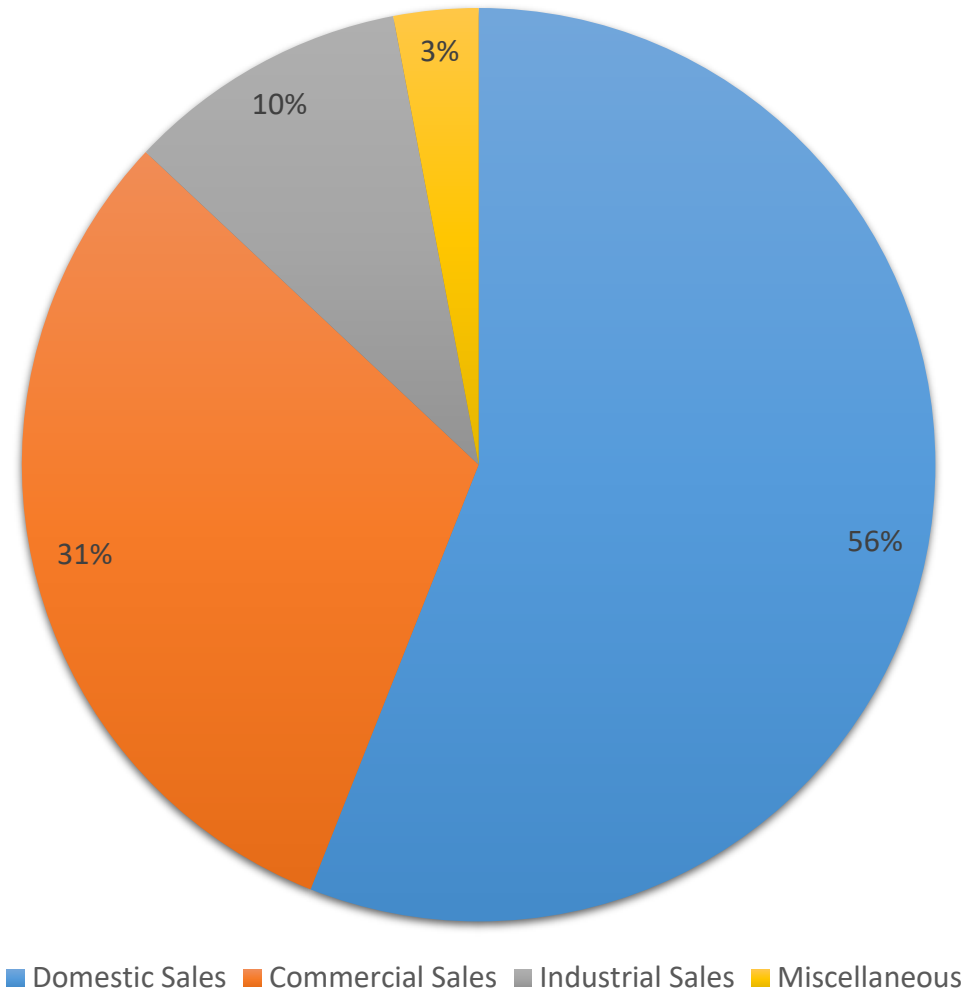
Debt Issue	Amount Outstanding	2026 Payment	2027 Payment	Maturity Date
2024-1 Temporary Note*	\$1,030,388	\$31,444	\$998,944	11/2027
2011 Revolving Loan	\$601,175	\$80,157	\$80,157	11/2033
2013 G.O. Bond	\$12,537	\$4,210	\$4,114	11/2028
2015 Revolving Loan	\$712,024	\$64,729	\$64,729	11/2036
2016 G.O. Bond	\$1,031,600	\$700,100	\$331,500	11/2027
2024 G.O. Bond	\$461,547	\$38,112	\$38,517	11/2044

** Balance will be rolled into long-term bonds at maturity.*

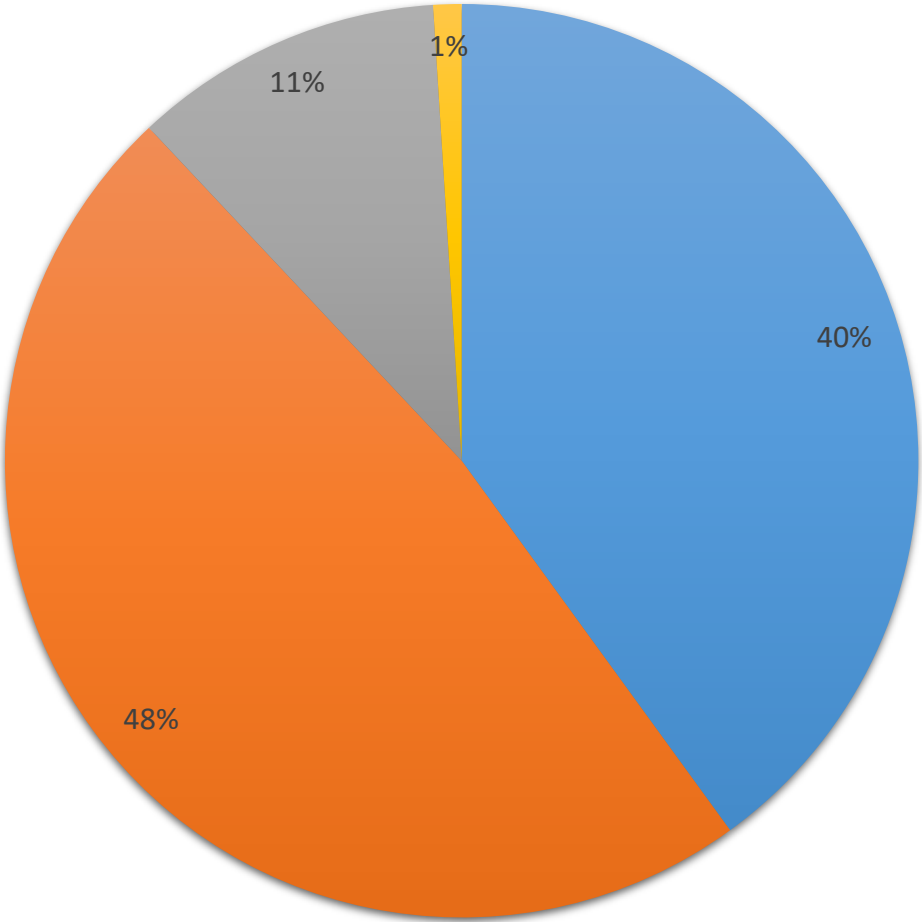
Refuse Fund

2027 Preliminary Budget

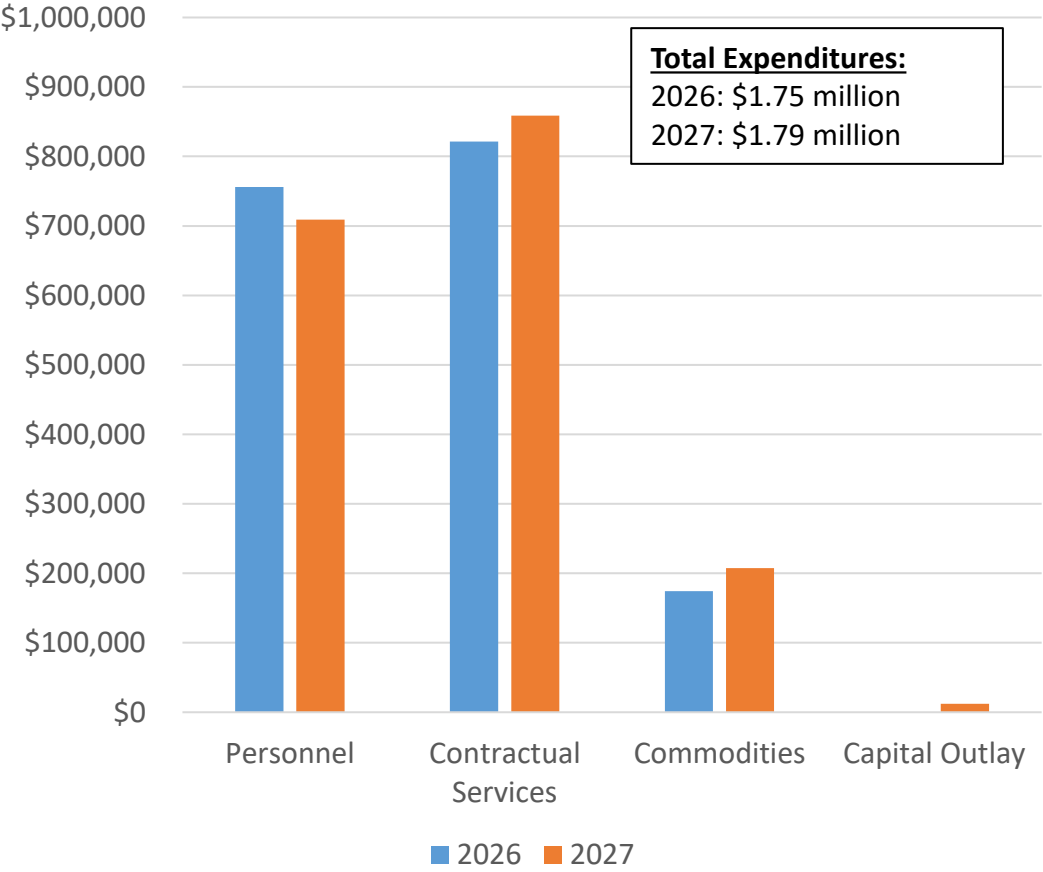
Refuse Fund: Revenue



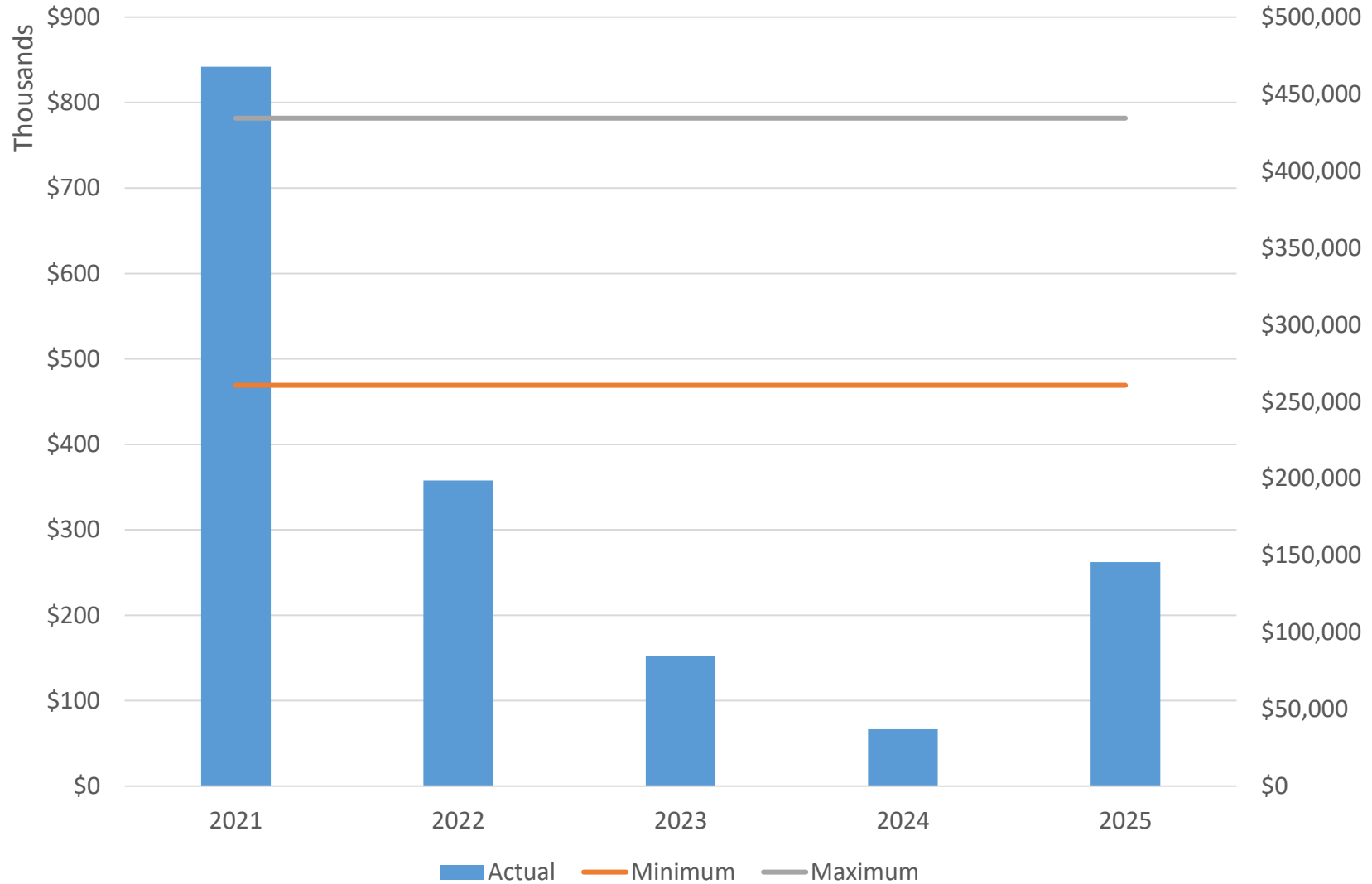
Refuse Fund: Expenditures



■ Personnel ■ Contractual Services ■ Commodities ■ Capital Outlay



Refuse Fund: Reserve Balance



Fund Highlights

Refuse

- Expenditures: \$1.79 million
- 9 Employees:
 - 1 Foreman
 - 5 Sanitation Leadperson
 - 1 Sanitation Collector
 - 1 Rolloff Driver
 - 1 Administrative Assistant (serves all Public Works divisions)
- Overtime: \$28,000
- Fleet Leasing: \$12,000
- Fuel: \$60,000
- Landfill Fees: \$425,000
- Cart/Container Replacement: \$75,000

Proposed 2027 Rates

- Residential:
 - 1st Cart: \$15
 - 2nd Cart: \$6
 - 3rd Cart: \$9 (No increase)
- Commercial: 10%
- Average household increase: \$2.25

Miscellaneous Funds

2027 Preliminary Budget

Streets & Stormwater

Streets

- Revenues: \$1.4 million
 - \$539,000 – Highway Funds
 - \$900,000 – Transfer from General Fund
- Expenditures: \$1.6 million
- 13 Employees:
 - 1 Director
 - 1 Automotive Technician
 - 2 Signs & Signals Technicians
 - 3 Equipment Operators
 - 6 Maintenance Workers
- Fleet Leasing: \$52,600
- Fuel: \$52,000
- Traffic Signs & Signals: \$30,000

Stormwater

- Revenues: \$325,000
- Expenditures: \$283,000
- 2 Employees:
 - 1 Superintendent
 - 1 Maintenance Worker
- Fleet Leasing: \$13,000
- Franchise Fees: \$25,000
- Reserve Transfers: \$25,000

Tourism & Data Processing

Tourism

- Revenues: \$277,000
- Expenditures: \$297,965
- 2 Employees:
 - 1 Marketing Manager
 - 1 Marketing Specialist
- GoldFest: \$100,000
- Transfer to General Fund: \$10,000

Data Processing

- Expenditures: \$1.7 million
- 11 Employees:
 - 1 City Manager
 - 1 Assistant City Manager
 - 1 City Clerk
 - 1 Human Resources Director
 - 1 Municipal Information Officer
 - 1 Payroll & Benefits Clerk
 - 1 Accounts Payable Clerk
 - 2 Accounting Clerks
 - 1 Information Technology Director
 - 1 Network Technician
- IT Equipment: \$95,000
- Software: \$250,000

Miscellaneous Budgeted Funds

Prairie Trails

- Revenues: \$124,000
- Expenditures: \$120,000
- Property Tax Payment: \$70,000
- Capital Improvements: \$50,000

Special Parks and Special Alcohol

- Revenues: \$64,000
- Expenditures: \$64,000
- Revenue received from State Liquor Tax

Building Demolition

- Revenue: \$25,000
- Expenditures: \$25,000
- Revenue is transferred from General Fund

Compressed Natural Gas

- Revenues: \$23,000
- Expenditures: \$23,000
- Primary expense is utilities for CNG

Street Sales Tax

- Revenues: \$700,000
- Expenditures: \$700,000
- Funds are allocated to annual street projects

Excess Sales Tax

- Revenues: \$1.1 million
- Expenditures: \$1.1 million
- Transfer from General Fund Sales Tax

Conclusion

2027 Preliminary Budget

Budget Process

- ~~Jul 6:~~ Authorization to submit *Intent to Exceed Revenue Neutral Rate* to County Clerk.
- ~~Jul 15:~~ Budget Work Session (Mill Levy Funds)
- ~~July 29:~~ Budget Work Session (Enterprise Funds)
- **Aug 12:** Budget Work Session (Final Review)
- **Aug 14:** Submission of Public Hearing for RNR and Budget Hearing
- **Aug 25:** Publication of RNR and Budget Hearing Notice
- **Sep 8:** RNR and Budget Hearing
- **Sep 21:** Adoption of Proposed Budget
- **Sep 30:** Submit Adopted Budget to County Clerk

Decision Points

- **Does the City Commission want to adhere to the Revenue Neutral Rate?** If so, staff will prepare options for the governing body to consider prior to the adoption of the budget.
- **Does the City Commission want to increase property taxes to fund services at current levels?** If so, the governing body will need to provide some guidance on the appropriate mill levy threshold for the preparation of the *Notice to Exceed the Revenue Neutral Rate* for consideration at the July 6 meeting.

PLANNING COMMISSION MEMORANDUM

TO: Planning Commission

FROM: Scott Rickard, City Engineer

RE: Case No. 26-02-SUP – Wireless Telecommunications Facility at 1590 SW Boyer Road

DATE: July 23, 2026

BACKGROUND:

Patrick Erwin with Skyward Land Services, acting on behalf of Tillman Infrastructure, LLC, has requested a Special Use Permit to construct a wireless telecommunications facility on property owned by David A. and Karyl L. Rush at 1590 SW Boyer Road.

The subject property is identified as Parcel No. 2120900000018000 and contains approximately 153.7 acres. The property owners have authorized Tillman Infrastructure to submit the application and represent them during the zoning and permitting process.

The property is located outside the El Dorado city limits but within the City's extraterritorial zoning jurisdiction. The property is zoned A-R Agricultural-Residential under the City's Official Zoning Map. The surrounding area is primarily rural and agricultural, with scattered residences, agricultural buildings, equipment-storage areas, utility infrastructure, and similar rural uses.

Under the City and Butler County interlocal arrangement, the City exercises zoning and land-use authority within this portion of the extraterritorial jurisdiction. Butler County retains responsibility for building-code administration, construction permits, structural review, driveway access, inspections, and other construction-related requirements. Approval of the Special Use Permit would authorize the land use but would not replace any Butler County building, access, electrical, grading, drainage, or other required permit.

The applicant proposes to construct:

- A 150-foot galvanized-steel monopole;
- A 10-foot lightning rod above the monopole;
- An initial AT&T antenna array;
- Mounting and equipment space for up to two additional wireless carriers;
- A 50-foot by 50-foot lease area;
- A fenced ground-equipment compound;
- Equipment cabinets and an emergency generator on a concrete pad;
- A six-foot-tall wooden privacy fence;
- Evergreen landscaping around the equipment compound;
- A 12-foot-wide gravel access road from SW Boyer Road;
- A 30-foot-wide access and utility easement; and
- Underground electric and fiber service.

The facility would be unstaffed. The applicant anticipates routine service visits approximately once per month by technicians using a pickup truck or service van. Additional temporary activity would occur during construction, installation of equipment, repairs, and future carrier additions.

The application materials contain several references to “1590 SW Doyer Road.” The correct property address is 1590 SW Boyer Road. The correct address, parcel number, and legal description should be used in all final plans, permits, resolutions, and other approval documents.

The submitted drawings are marked “Pre-Construction Only.” Final sealed construction plans, foundation details, structural calculations, surveyed tower coordinates, access plans, grading and drainage information, and utility plans will be reviewed through the Butler County permitting process.

An existing 150-foot monopole owned by American Tower is located at 1782 SW Boyer Road, approximately 900 feet from the proposed site. American Tower has stated that it is willing to discuss potential collocation with Tillman Infrastructure. The existing tower is part of the current land-use and visual character of the area; however, Kansas law does not allow the City to require collocation or deny the application solely because another tower or alternative site may be available.

APPLICABLE ZONING REGULATIONS:

Appendix A of the El Dorado Zoning Regulations specifically identifies an undisguised monopole as a Special Use in the A-R Agricultural-Residential District. The proposed facility is therefore an allowed use in A-R when approved through the Special Use Permit process. Appendix A also makes wireless communication facilities subject to the additional standards contained in Article 6, Section 14.

Article 6, Section 14 establishes standards addressing the location, height, setbacks, design, screening, lighting, collocation, maintenance, abandonment, and required application materials for wireless communication facilities.

The City’s interpretation and prior practice have allowed 150-foot monopoles in the A-R district through the Special Use Permit process when the proposed site provides adequate separation from property lines and the facility satisfies the remaining wireless-facility and Special Use Permit standards.

Based upon Appendix A and the City’s past administration of the regulations, staff considers the proposed 150-foot monopole eligible for consideration through a Special Use Permit in the A-R district.

The application describes a 150-foot monopole with a 10-foot lightning rod. The Special Use Permit would authorize the 150-foot monopole together with the antennas, mounts, lightning protection, and other appurtenances shown on the submitted elevation drawing.

Kansas law authorizes cities to provide for special or conditional use permits through their zoning regulations.

WIRELESS COMMUNICATION FACILITY STANDARDS:

Setbacks and Fall Zone

Article 6, Section 14 generally requires a ground-mounted tower to be set back from property lines by a distance equal to or greater than the height of the structure. The setback may be reduced to the maximum distance the tower is designed to fall when supported by appropriate engineering documentation.

The applicant states that the proposed tower would be approximately 183 feet from the nearest property line. The proposed separation therefore exceeds the 150-foot monopole height.

Sabre Industries submitted a letter stating that the proposed monopole would be designed in accordance with ANSI/TIA-222-H for the identified wind and ice conditions. The letter states that, in the unlikely event of structural failure beyond the tower's design capacity, the monopole would most likely buckle above the base and result in an estimated ground-level fall radius of approximately 25 feet.

The fall-zone letter applies to the specific Sabre monopole identified in the letter. Final construction and structural review will occur through the Butler County permitting process.

A final survey prepared by a Kansas-licensed land surveyor should confirm the tower location, lease area, access and utility easements, and distances from the tower center to the applicable property lines.

Collocation Capacity

Article 6, Section 14 requires a new support structure exceeding 100 feet to be designed, and the ground area made adequate, to accommodate at least two additional carriers. The owner must also make reasonable accommodations for additional carriers.

The submitted plans show antenna-mounting locations and ground-equipment areas for a total of three carriers. The initial AT&T installation would occupy one position, with space reserved for two future carriers. The proposal therefore appears to satisfy the City's multiple-carrier capacity requirement.

Design and Screening

The proposed support structure is a monopole rather than a lattice or guyed tower. The galvanized-gray finish is intended to minimize reflection and generally blend with the sky.

The ground equipment would be enclosed by a six-foot wooden privacy fence and screened with evergreen landscaping. The fencing and landscaping would screen the equipment cabinets, generator, and other ground-level improvements but would not screen the upper portion of the monopole.

The proposed screening is appropriate for the rural setting and is consistent with the submitted plans.

Lighting and Generator Operations

No lighting is proposed on the monopole. Tower lighting would be limited to lighting required by the FAA or another governmental authority.

The proposed emergency generator would operate during electrical outages or other service interruptions. Routine generator testing is anticipated as part of the maintenance of the facility.

Access

Access is proposed from SW Boyer Road through a 12-foot-wide gravel access road located within a 30-foot-wide access and utility easement.

The facility would not be open to the public and would not have regularly stationed employees. Routine traffic would be limited to maintenance and inspection visits. Temporary construction traffic would include cranes, concrete trucks, utility contractors, equipment deliveries, and other construction vehicles.

Butler County will review the driveway connection, sight distance, culvert and drainage requirements, access-road construction, turnaround, and construction traffic through its permitting process.

ARTICLE 10 SPECIAL USE PERMIT REVIEW:

Article 10 requires the Planning Commission to review the proposed use and make findings addressing the location and intensity of the use, accessibility and public services, utilities, structures and screening, yards and signs, and compatibility with surrounding properties and the general welfare.

Following the public hearing, the Planning Commission will make a recommendation to the Governing Body. The Governing Body will take final action on the Special Use Permit by resolution.

PLANNING COMMISSION EVALUATION CRITERIA AND STAFF FINDINGS:

A. Location and Size of the Proposed Use in Relation to the Site and Adjacent Properties

The subject property contains approximately 153.7 acres. The proposed 50-foot by 50-foot lease area would occupy a small portion of the overall property.

The tower would be located on a large rural tract with substantial open space between the proposed facility and adjoining properties. The surrounding area consists primarily of agricultural land, rural residences, agricultural and accessory buildings, equipment-storage areas, and utility infrastructure.

The facility would be visible from portions of SW Boyer Road and surrounding properties. However, the monopole design is less visually massive than a lattice or guyed tower, and the large parcel provides greater separation than would normally be available on a smaller property.

An existing 150-foot monopole is located approximately 900 feet from the proposed site. The existing tower demonstrates that telecommunications infrastructure is already present in the area, although the proposed facility would create an additional visible vertical structure.

The facility would be unstaffed and would generate minimal routine activity. Staff finds that the location, size, and operational intensity of the proposed use are appropriate for the property and generally compatible with surrounding rural land uses.

B. Accessibility to Public Services; Ingress, Egress, Traffic, Parking, and Loading

The facility would be accessed from SW Boyer Road through the proposed private gravel access road.

Routine traffic would consist primarily of occasional maintenance visits. Construction and future carrier installations would temporarily generate larger vehicles and additional traffic.

Butler County will review the driveway location, roadway connection, sight distance, drainage, culvert, access-road design, and emergency and maintenance access.

The facility would not be open to the public and would have no permanent onsite employees. A public parking lot or loading area is therefore not required. Sufficient space would be available within the lease or access area for service, maintenance, and emergency vehicles without parking on SW Boyer Road.

No regular municipal refuse service is anticipated. Any waste generated during construction or maintenance would be removed from the property.

Staff finds that adequate access and public services can be provided, subject to Butler County approval of the driveway and access improvements.

C. Utility and Infrastructure Capacity

The facility would require electrical power and fiber service. The applicant proposes to install these utilities underground from existing facilities near SW Boyer Road to the equipment compound.

No municipal water, sanitary sewer, or gas service is required because the facility would be unstaffed and would not include offices, restrooms, or other occupied structures.

The emergency generator, fuel system, grounding, electrical equipment, and related improvements will be reviewed through the applicable County, state, federal, and utility requirements.

Final grading and drainage will be reviewed through the Butler County permitting process.

Staff finds that the necessary utilities and infrastructure are available and adequate for the proposed use.

D. Location, Nature, and Height of Structures; Fencing, Buffering, and Screening

The proposed facility includes a 150-foot galvanized-steel monopole, antennas and related appurtenances, equipment cabinets, an emergency generator, concrete pads, an ice bridge, fencing, utilities, and landscaping.

Appendix A expressly allows an undisguised monopole in the A-R district by Special Use Permit. Consistent with the City's interpretation and prior practice, a 150-foot monopole may be considered where the property provides adequate setbacks and the proposal satisfies the remaining wireless-facility requirements.

The applicant states that the tower would be approximately 183 feet from the nearest property line, which exceeds the proposed monopole height. The submitted fall-zone letter further states that the specific Sabre monopole would have an estimated 25-foot fall radius in the unlikely event of structural failure.

The proposed six-foot wooden privacy fence and evergreen landscaping would provide screening of the ground equipment.

Staff finds that the location, nature, height, fencing, buffering, and screening are appropriate for the site.

E. Required Yards, Open Space, and Sign Provisions

The approximately 153.7-acre property provides substantial open space around the proposed facility. The lease area and access road would occupy only a small portion of the tract.

Based upon the applicant's stated 183-foot minimum setback, the tower appears to satisfy the tower-height setback requirement. Final compliance will be confirmed through the survey and construction-permit process.

No advertising signs are proposed. Any identification, warning, safety, emergency-contact, utility, FCC, or FAA signs would be limited to those required for the safe and lawful operation of the facility.

Staff finds that adequate yards and open space are provided and that the applicable sign requirements can be satisfied.

F. Compatibility with Adjacent Properties and the Safety, Health, Comfort, and General Welfare of the Community

The proposed facility may improve wireless coverage, capacity, reliability, and redundancy for residents, businesses, travelers, and public-safety users in the surrounding area.

The principal impacts would be the visual presence of the monopole, temporary construction activity, occasional maintenance traffic, and routine generator testing.

These impacts are reduced by:

- The large rural property;
- The substantial separation from adjoining property lines;
- The monopole design;
- The limited amount of routine traffic;
- The lack of permanent employees or public activity;
- Underground utility installation; and
- The fenced and landscaped equipment compound.

The existing American Tower facility is part of the surrounding land-use context. However, the availability of that tower cannot be used as the sole basis for denial or as a requirement that Tillman collocate. Kansas law prohibits local evaluation of a new wireless-support-structure application based on the availability of another potential site or the option to collocate instead.

Staff finds that the proposed facility is compatible with surrounding properties and consistent with the safety, health, comfort, and general welfare of the community.

ETJ AND BUTLER COUNTY CONSIDERATIONS:

The City's Special Use Permit would provide zoning and land-use authorization for the proposed facility. Butler County retains responsibility for applicable building, structural, electrical, driveway, grading, drainage, construction, and inspection requirements.

The applicant must obtain all required Butler County approvals before construction. Final construction plans should also be submitted to the City to confirm that the facility remains substantially consistent with the approved Special Use Permit.

Because the property is within the City's extraterritorial zoning jurisdiction, Butler County is reviewing the request for conformance with the Butler County Comprehensive Plan. The Butler County Commission is scheduled to consider the matter on July 14, 2026.

STAFF RECOMMENDATION:

Appendix A expressly allows an undisguised monopole in the A-R Agricultural-Residential District through approval of a Special Use Permit. The City's interpretation and prior practice have allowed 150-foot monopoles in A-R through the Special Use Permit process when adequate setbacks are provided and the proposal satisfies the applicable wireless-facility standards.

The proposed facility would be located on a large rural tract and would occupy a small portion of the property. The facility would be unstaffed and would generate minimal routine traffic. The proposed tower would be separated from the nearest property line by a distance greater than its height. The ground equipment would be fenced and landscaped, utilities would be installed underground, and the facility would be designed to accommodate two additional carriers.

Butler County Recommendation: Approval

Butler County Finding: The proposed Special Use Permit is consistent with and conforms to the Butler County Comprehensive Plan.

Date of County Action: July 14, 2026

An existing 150-foot monopole is located approximately 900 feet from the proposed site. The existing tower is part of the surrounding land-use context; however, Kansas law does not permit the City to require collocation or deny the application solely because another tower may be available.

Staff finds that the proposal adequately addresses each of the Special Use Permit review criteria, including:

- The location, size, and intensity of the use;
- Accessibility, traffic, and public services;
- Utility and infrastructure availability;
- The nature and height of the structure and proposed screening;
- Required yards, open space, and signs; and
- Compatibility with surrounding properties and the general welfare.

Staff recommends approval of Case No. 26-02-SUP and consideration of Butler County's recommendation regarding conformance with the Butler County Comprehensive Plan.

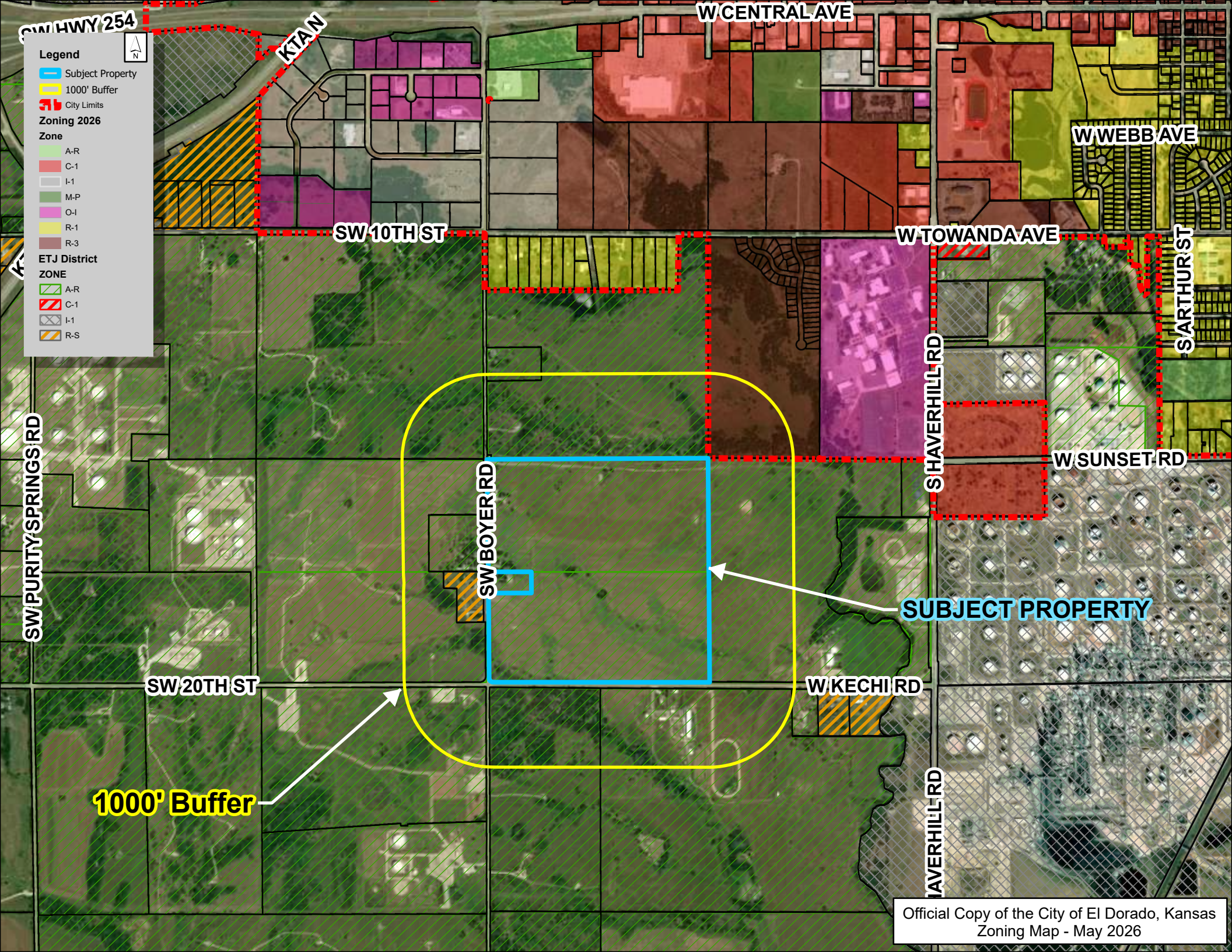
SUGGESTED MOTIONS:

Approval Motion

I move to recommend approval of Case No. 26-02-SUP, Patrick Erwin's request on behalf of Tillman Infrastructure, LLC, for a Special Use Permit to construct a 150-foot wireless telecommunications monopole and related equipment at 1590 SW Boyer Road, based upon the findings contained in the staff report, the evidence presented at the public hearing, and consideration of Butler County's recommendation regarding conformance with the Butler County Comprehensive Plan.

Denial Motion

I move to recommend denial of Case No. 26-02-SUP, Patrick Erwin's request on behalf of Tillman Infrastructure, LLC, for a Special Use Permit to construct a wireless telecommunications facility at 1590 SW Boyer Road, finding:





SPECIAL USE PERMIT APPLICATION

PROPOSED WIRELESS TELECOMMUNICATIONS FACILITY AT:

1590 SW Doyer Road

El Dorado, Butler County, Kansas 37042

FILED ON BEHALF OF TILLMAN INFRASTRUCTURE, LLC BY:

SKYWARD LAND SERVICES, INC.

PATRICK ERWIN

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1. LETTER OF APPLICATION
2. PROPERTY OWNER SIGNED CONDITIONAL USE APPLICATION
3. SUPPLEMENTAL NARRATIVE
4. DEED COVERING THE SUBJECT PROPERTY
5. PROJECT DRAWINGS

April 27th, 2026

Amanda Stalnaker
El Dorado KS Planning & Zoning
226 N Vine Street
Eldorado, KS 67042

RE: Proposed Wireless Communications Facility
1590 SW Doyer Rd.
El Dorado City, KS 37042

Dear Ms. Stalnaker,

Skyward Land Services, on behalf of Tillman Infrastructure (Tillman), files this Special Use Application to allow the construction of a wireless telecommunications facility at the above referenced property. Tillman has finalized a lease agreement with the owner(s) of the property, David A. Rush and Karyl Rush. The proposed facility is designed to accommodate multiple carriers and will provide the technology needed to provide clear and uninterrupted wireless telecommunications services to the residents of Butler County and the City of El Dorado.

The proposed wireless telecommunications facility will consist of a 150' tall monopole tower to be located within a 50'-0" x 50'-0" lease area. Future expansion of the lease area can be accommodated, if needed, for multiple carrier's ground equipment. The proposed tower will be erected, owned, and managed by Tillman. The facility will be unstaffed and will only require carrier service technicians, in a pick-up/van sized vehicle, to visit the site approximately once per month.

The facility is proposed in the City of El Dorado's AG – R (Agriculture - Residential) zone. Pursuant to the City, the tower location falls within their 3mile Extra Territorial Jurisdiction which was confirmed by phone conversation on December 18, 2024. Towers are allowed in the AG- R zone by Special Use Permit approval by the Planning Commission and will require notice to the surrounding landowners.

On behalf of Tillman Infrastructure, I herewith submit all required documentation for the consideration of conditional use permit approval in accordance with the City of El Dorado's Zoning Ordinance.

Should you have any questions please feel free to contact me. I look forward to working with you.

Sincerely,

Patrick Erwin
Skyward Land Services, Inc.
913-626-4440

APPLICATION FOR A NEW WIRELESS COMMUNICATIONS FACILITY

Submitted to El Dorado, KS

GENERAL INFORMATION

Applicant: Tillman Infrastructure, LLC
152 West 57th Street
New York, NY 10019

Applicant's Representative: Skyward Land Services, Inc.
Patrick Erwin
PO Box 25783
Overland Park, KS 66226
erwin@skywardsite.com
913.626.4440

Project Address: 1590 SW Doyer Rd.
El Dorado City, KS 67042

Property Owner(s): David A Rush and Karyl L Rush

Map/Tax Lot Number: 2120900000018000 Sec 09 Twn 26 Rng 05E

Land Use Designation: Agricultural-Residential

Zoning Classification: AG - R

Parcel Size: 153.7 acres

INTRODUCTION

Tillman Infrastructure, LLC (Tillman) proposes to construct a new telecommunications tower in El Dorado, Kansas. The proposed site will allow wireless carriers to improve the quality of services for their customers in Butler County and the City of El Dorado. The tower is designed to accommodate three (3) carriers.

As shown in this application narrative, Tillman's proposal meets the City of El Dorado code criteria. The selected site is zoned Agricultural - Residential, and 153.7 acres, where towers are allowed by Special Use Permit approval by the Planning Official.

As demonstrated below, the proposal meets all the City's criteria for development in the Agricultural - Residential zone, including height and setbacks. Tillman respectfully requests that the City approve the new facility as proposed.

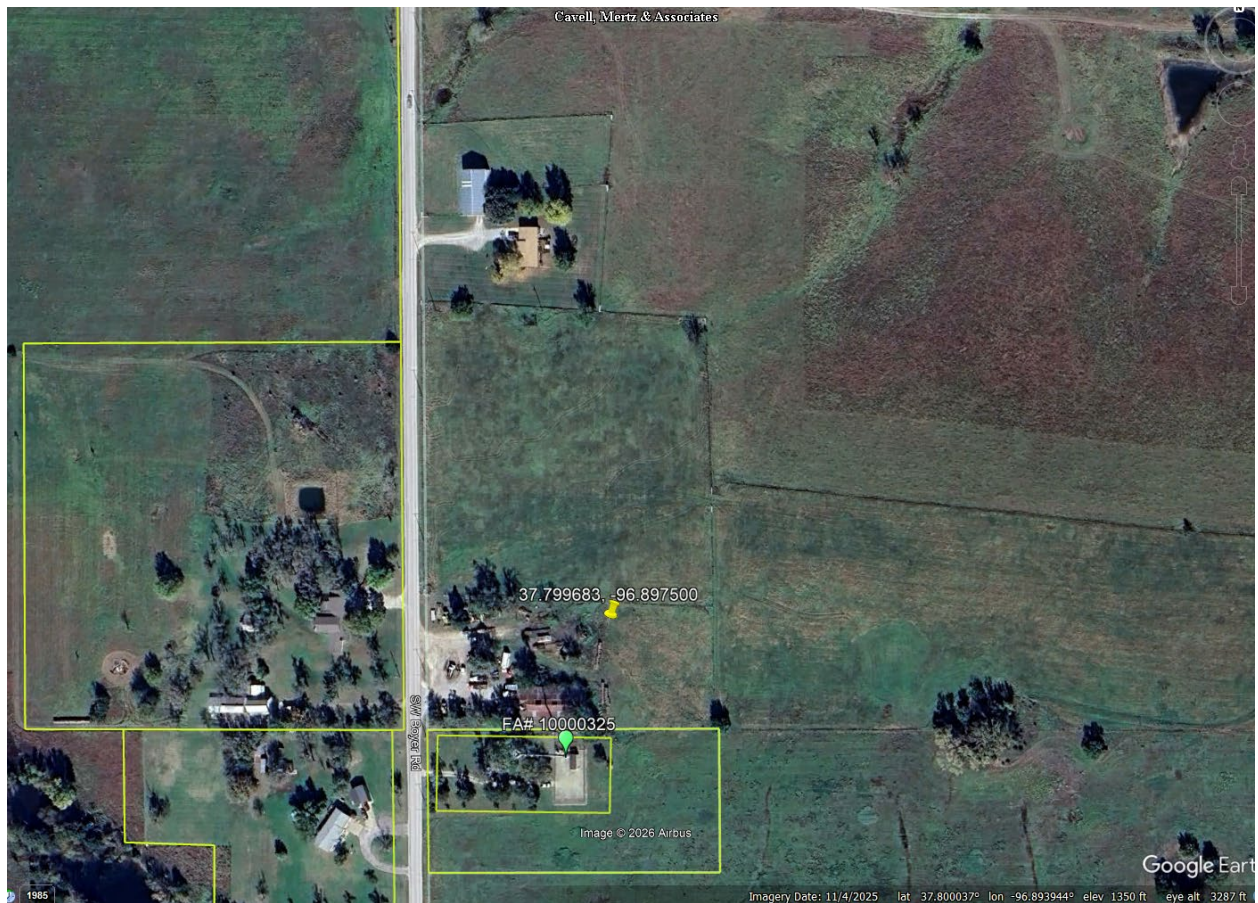
PROPOSAL

Tillman proposes a new monopole tower for wireless telecommunications be constructed on a parcel at 1590 SW Doyer Rd. (the "Property"). The Property is currently undeveloped. The proposal consists of a 150-0" tall monopole tower. Antenna arrays can be located at three (3) different locations on the tower, to accommodate up to three (3) different carriers. The facility, inclusive of a wooden privacy fence, will initially comprise a 50' x 50' area. Space is available for future expansion, if needed. A new 12' wide gravel access road, running from the existing road at the right of way (SW Boyer Rd.) to the compound, will be added. Power and fiber will run underground from the nearest utility pole to the fenced lease area.

The proposed site will include:

	Proposed Site
Tower	150' tall monopole tower with a 10' Lightning Rod
Location	NW section of the property
Lease area	50' x 50' compound
Fencing	6' tall wooden privacy fence surrounding compound with road gate at entrance for signage
Access	12' wide gravel driveway from SW Boyer Rd. to the compound
Utilities	Power and fiber will run within an easement, underground from the site to the nearest utility pole

General Area



SUBMITTAL REQUIREMENTS

The proposed Tillman facility complies with all applicable requirements of the El Dorado City Zoning Ordinance. **Article 6 – Supplementary Use Regulations / Wireless Communications Facilities**

Location/Height Guidelines:

Wireless Communication Facilities by a Special Use Permit in Agricultural-Residential zone up to 150ft.

All ground-mounted towers shall be set back from the all-property lines a distance equal to or greater than the height of the proposed structure. If substantiated by a licensed engineer, the setback may be equal to the maximum distance the structure is designed to fall, as measured from the center of the structure.

Applicants Response:

The tower is setback 183ft from the nearest property line. The tower is 150ft in height, therefore, this requirement is exceeded by 33ft.

At the time of requesting a Permit for a new ground-mounted wireless communication facility, the applicant shall demonstrate to the satisfaction of the approving authority that:

- a. There is no available space on existing or approved wireless communication facilities or other structures that can be utilized to meet the applicant's communication needs; and
- b. There is no other technically feasible opportunity to modify or rebuild an existing structure on which the communication equipment may be located.

Applicants Response:

This requirement is not applicable as it is superseded by K.S.A. 66-2019 (f) (3) which in summary states that a jurisdiction shall not evaluate an application based on the availability of other potential locations for the placement of wireless support structures or wireless facilities, including without limitation the option to collocate instead of construct a new wireless support structure. Nevertheless, Tillman conducted an initial and thorough analysis of available collocation opportunities on existing wireless tower within the same search ring defined by the applicant before contacting any landowners in the search area.

At the time of requesting Permit for a wireless communication facility, the owner of a proposed new undisguised ground-mounted wireless communication facility, and the owner of the land, if not the same, shall certify in correspondence submitted with the permit, that:

- a. The support structure is designed, and the ground area is adequate or can be made adequate, to accommodate at least one (1) other carrier, if more than eighty (80) feet in height, and at least two (2) other carriers, if more than 100 feet in height. Lattice towers no larger than 18 inches on any side are excluded from the co-location requirements;

Applicants Response:

The proposed application package depicts three (3) total unique carriers. Therefore, the location and facilities are adequate to accommodate at least one future potential carrier.

- b. Reasonable accommodations will be made to lease space on the facility to other carrier so as to avoid having a proliferation of support structures that are not fully utilized; and

Applicants Response:

The proposed application package depicts three (3) total unique carriers. Therefore, the location and facilities are adequate to accommodate at least one future potential carrier.

The visibility of facilities shall be minimized by techniques such as concealment, disguise, camouflage, and sensitive design and siting. Economic infeasibility shall not be a cause for waiver from any design guideline. Accept as proven by the owner(s) to be technically unfeasible, all facilities approved must meet the following specific guidelines:

1. Preserving the pre-existing character of the area as much as possible.

Applicants Response:

The area is currently being utilized as a storage area for broken down equipment whose parts could be utilized in the future. Therefore, camouflaging, concealing, or disguising the structure would not benefit the

overall design or siting of the facility. Furthermore, the structure is a monopole which by its nature is visually less obtrusive than a self-support or guyed tower.

2. Minimizing the height, mass or proportion of the facility to minimize conflict with the character of its proposed surroundings.

Applicants Response:

The structure is 150ft which is the minimum needed by AT&T to serve the surrounding area. Furthermore, the structure is a monopole which by its nature is visually less obtrusive than a self-support or guyed tower.

3. Minimizing the silhouette presented by new support structures and antenna arrays. Generally, monopoles are favored over lattice-type support structures to a height of at least 150 feet, and antennas mounted flush to the support structure are favored over triangular "top hat" antenna arrays.

Applicants Response:

The application proposes that a 150ft monopole is being utilized, however, the latest technologies that carriers use are not conducive to flush mounted antennas because remote radio units need to be mounted between the antenna and the tower.

4. Using colors, textures and materials that blend in with the existing environment; under some circumstances, surfaces should be painted, or otherwise treated, to match or complement existing background structures and surfaces, or the sky, as appropriate, and to minimize reflection. Painting support structures red and white may also be necessary to avoid strobe lighting that would otherwise be required by applicable governing agencies.

Applicants Response:

The tower is finished in a galvanized steel which is grey and by its nature will blend in with the sky.

5. Concealing facilities within potential space in or on existing structures, or disguised to look like another type of facility, like a flagpole, clock tower, or church steeple.

Applicants Response:

A flagpole, clock tower, or church steeple, would not be appropriate for an equipment storage yard.

6. Placing facilities in areas where trees and/or buildings obscure some or all the facility from view, and installing new plantings/screening around the site where visible from major street or residential areas.

Applicants Response:

The proposal does include plantings of shrubs around the compound area to further conceal the ground equipment and a 6ft wooden privacy fence is included. This is shown in the Engineer stamped drawings that are submitted as part of this application package.

7. Placing facilities on existing walls, flush-mounted, or on roofs building (excluding single-family and duplex) and structures, up to 20 feet above the existing structure, as opposed to building new ground-mounted support structures. Facilities on rooftops generally should be set back from roof edges or screened from view.

Applicants Response:

There are no roofs in the area that are tall enough to support a 150ft antennas.

8. Screening equipment shelters and cabinets through landscaping, walls and/or fencing, as appropriate to the surroundings and generally consistent with the City's screening regulations. In most cases, ground-level equipment should respect the setbacks for accessory uses in the applicable zoning district and be enclosed by 6-8ft height security fencing, of a material compatible with its surroundings. Equipment should be encouraged indoors if space is available nearby. Burying equipment in an underground vault, to keep most of the equipment out of sight, may be necessary in rights of way and in some other visually/environmentally sensitive locations, such as tourist attractions, historic landmarks/districts, museum district, river corridor, and other locations of civic importance or architectural significance.

Applicants Response:

The proposal does include plantings of shrubs around the compound area to further conceal the ground equipment and a 6ft wooden privacy fence is included.

9. Ground level shelters/equipment, appropriately screened and generally landscaped with trees and/or shrubs, should be permitted on lots adjacent to rights of way, to facilitate the use or reconstruction of utility poles in those rights of way.

Applicants Response:

The ground equipment will be screened by the wooden privacy fence and landscaping.

10. Permitting lighting on facilities only if required by federal regulations, and not by strobes (except by variance).

Applicants Response:

The FAA does not require a tower under 200ft to be lit however, in some instances if a tower is in close proximity to an airport there may be additional FAA regulations. Therefore, we will submit a copy of the FAA approval as soon as it is received.

CONCLUSION

The proposed wireless telecommunications facility meets or exceeds all requirements of El Dorado's land use ordinances. We respectfully request that the City approve the proposal as designed, subject only to the City's standard conditions of approval.

See Attachments

THIS INDENTURE, Made this 21st day of August, 19 93

between J. LOUISE BOYER, CARL J. BOYER, AND KATHRYN L. MARTIN, as testamentary co-trustees under the Last Will and Testament of John S. Boyer dated Jan. 15, 1980 and J. LOUISE BOYER, individually

of Butler County, in the State of Kansas, of the first part,

and DAVID A. RUSH and KARYL L. RUSH, husband and wife

of Butler County, in the State of Kansas, of the second part;

WITNESSETH, That said parties of the first part, in consideration of the sum of One Dollar and other valuable consideration

the receipt whereof is hereby acknowledged, do by these presents, grant, bargain, sell, and convey unto the said parties of the second part, and the survivor of them, as joint tenants, and not as tenants in common, all the following-described real estate, situated in the County of Butler, State of Kansas, to-wit:

The North Half (N $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section Nine (9), Township Twenty-six (26), Range Five (5) except a tract described as follows: Beginning at a point on the West line of the Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of said section Nine (9) that is 649.81 feet North of the Southwest Corner thereof, thence continuing North along the said West line 400 feet, thence East at 90 degrees a distance of 544.5 feet, thence South parallel to the said West line 400 feet, thence West 544.5 feet to point of beginning

except any mineral rights in and under such quarter section

TO HAVE AND TO HOLD THE SAME, Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, forever.

And said parties of the first part, for themselves, their heirs, executors, and administrators do hereby covenant, promise, and agree to and with said parties of the second part, that at the delivery of these presents, the trust is lawfully seized in its own right of an absolute and indefeasible estate of inheritance, in fee simple, of and in all and singular the above-granted and described premises, with the appurtenances; that the same are free, clear, discharged, and unincumbered of and from all former and other grants, titles, charges, estates, judgments, taxes, assessments, and incumbrances, of what nature or kind soever;

and that they will WARRANT AND FOREVER DEFEND the same unto the said parties of the second part, their assigns, and the heirs and assigns of the survivors of them, against the said parties of the first part, their heirs, and all and every person or persons whomsoever lawfully claiming or to claim the same.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands, the day and year first above written.

J. Louise Boyer
J. Louise Boyer, Trustee and individually

Carl J. Boyer
Carl J. Boyer, trustee

Kathryn L. Martin
Kathryn L. Martin, trustee

BOOK 676 PAGE 664

STATE OF KANSAS, BUTLER

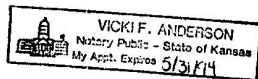
COUNTY, ss.

BE IT REMEMBERED, That on this 25th day of August, A. D., 19 93
before me, the undersigned, a Notary Public in and for the County and State aforesaid, came

J. Louise Boyer, Carl J. Boyer and Kathryn L. Martin, as testamentary
co-trustees under the Last Will and Testament of John S. Boyer, dated
Jan. 15, 1980 and J. Louise Boyer, individually

who are personally known to me to be the same persons who executed the within instrument of
writing and such persons duly acknowledged the execution of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal,
the day and year last above written.



Vicki F. Anderson
Notary Public
Term expires 5/31, 1994

ALLEN/C
TN: David & Karyl Rush
R.R.#1 Box 176A
El Dorado, KS 67042 (4)

THIS DEED SHOULD BE RECORDED

Warranty Deed

JOINT TENANCY

FROM

TO

Entered in Transfer Record in
my office this 25th day of
August, A. D., 19 93

Ernest L. Lippard County Clerk

STATE OF KANSAS, } ss.
BUTLER County,

This instrument was filed for record on
the 25th day of August, A. D.,
1993, at 2:30 o'clock P.M., and
duly recorded in Book 676 of Deeds
at page 664 DOC# 7448

Barbara McCoy Deputy
Register of Deeds

TERESA DAWSON-DEES

Register of Deeds, for recording, \$ 8.00
County Clerk, for transfer, Total, \$

Since 1868
F.S. ALLEN
Michael and Fille Company
125 West Central Avenue
EL DORADO, KANSAS
Phone 321-2410
The Only Complete Set of Records in
Butler County, Kansas

F. S. ALLEN ABSTRACT COMPANY
EL DORADO, KANSAS

DEED - General Warranty - Joint Tenancy

The Only Complete Set of Records in Butler County

THIS INDENTURE, Made this 23 day of March, 1984
between JOHN S. BOYER and J. LOUISE BOYER, a/k/a LOUISE BOYER, his wife,
of Butler County, in the State of Kansas, of the first part,
and DAVID A. RUSH and KARYL RUSH
of Butler County, in the State of Kansas, of the second part;
WITNESSETH, That said parties of the first part, in consideration of the sum of One Dollar
and other valuable consideration -----
the receipt whereof is hereby acknowledged, do by these presents, grant, bargain, sell, and convey
unto the said parties of the second part, and the survivor of them, as joint tenants, and not as tenants in
common, all the following-described real estate, situated in the County of Butler,
State of Kansas, to-wit:

Beginning at a point on the West Line of the Northwest Quarter
(NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section Nine (9),
Township Twenty-six (26) South, Range Five (5) East in Butler
County, Kansas, that is 649.81 feet North of the Southwest
Corner thereof, thence continuing North along the said West
Line 400 feet, thence East at 90° a distance of 544.5 feet,
thence South parallel to the said West line 400 feet, thence
West 544.5 feet to the point of beginning, Said tract contains
5.0 acres public road included, excepting royalties produced
therefrom and reserving to Grantors all royalties from said land
as long as oil is produced therefrom.

TO HAVE AND TO HOLD THE SAME, Together with all and singular the tenements, hereditaments
and appurtenances therunto belonging or in anywise appertaining, forever.

And said parties of the first part, for themselves, their heirs, executors, and
administrators do hereby covenant, promise, and agree to and with said parties of the second part,
that at the delivery of these presents, they are lawfully seized in their
own right of an absolute and indefeasible estate of inheritance, in fee simple, of and in all and singular the
above-granted and described premises, with the appurtenances; that the same are free, clear, discharged, and
unincumbered of and from all former and other grants, titles, charges, estates, judgments, taxes, assessments,
and incumbrances, of what nature or kind soever;

and that they will WARRANT AND FOREVER DEFEND the same unto the said parties of the
second part, their assigns, and the heirs and assigns of the survivors of them, against the said parties of
the first part, their heirs, and all and every person or persons whomsoever lawfully claiming or to
claim the same.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their
hands, the day and year first above written.

John S. Boyer
JOHN S. BOYER

J. Louise Boyer
J. LOUISE BOYER

DEED BOOK 373 PAGE 425

STATE OF KANSAS, BUTLER COUNTY, ss.
 BE IT REMEMBERED, That on this 23 day of March, A. D., 1984
 before me, the undersigned, a Notary Public in and for the County and State aforesaid, came
 JOHN S. BOYER and J. LOUISE BOYER, a/k/a LOUISE BOYER, his wife,

who are personally known to me to be the same person as who executed the within instrument of
 writing and such person as duly acknowledged the execution of the same.
 IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal,
 the day and year last above written.

PHYLLIS L. HAMLIN
 NOTARY PUBLIC
 STATE OF KANSAS
 MY APPT. EXP. 1-15-86

Phyllis L. Hamlin
 Notary Public
 Term expires January 15, 1986

RUN-EVIN Grant
 P.O. Box 162
 EL Dorado, KS 67042 (4)

THIS DEED SHOULD BE RECORDED

Warranty Deed

JOINT TENANCY

FROM

TO

Entered in Transfer Record in
 my office, this 27th day of
 March, A. D., 1984
David O. Starnell County Clerk

STATE OF KANSAS, Butler County, ss.
 This instrument was filed for record on
 the 27th day of March, A. D.,
 1984, at 1:50 o'clock P.M., and
 duly recorded in Book 373 of Deeds,
 at page 425
 By *Dixie Rose* Deputy
 Register of Deeds

FEE
 Register of Deeds, for recording, \$ 6.00
 County Clerk, for transfer,
 Total, \$ 6.00

Since 1868
 F. S. ALLEN
 ABSTRACT COMPANY
 EL DORADO, KANSAS
 125 West Central Phone DA 1-2410
 The Only Complete Set of Records in
 Butler County, Kansas

ZONING DRAWINGS






SITE ID: TI-OPP-37632-A
FA# 16753960 / IWM #: xxxxxx
SITE NAME: DAVID A & EL DORADO KS TI-06173
ADDRESS: 1590 SW BOYER RD
EL DORADO, KS 67042
BUTLER COUNTY

PROJECT SUMMARY

SITE ADDRESS: 1590 SW BOYER RD, EL DORADO CITY, KS 67042

COORDINATES (NAD 83):
 N 37.799719° (N 37° 47' 58.89")
 W 96.897500° (W 96° 53' 51.00")
 GROUND ELEVATION: 1356.00' NAVD '88

JURISDICTION: BUTLER COUNTY

AUDITION CONTACT: SCOTT RICHARD, CITY ENGINEER, 528 N WINE ST., EL DORADO, KS 67042, (316) 321-8100

ZONING: A-R

PARCEL/TAX ID NUMBER: 212090000018000

PARCEL OWNER: DAVID A. RUSH AND KARYL L. RUSH, 1590 SW BOYER RD, EL DORADO CITY, KS 67042

TOWER OWNER: TILLMAN INFRASTRUCTURE

STRUCTURE TYPE: MONOPOL, 100'-0" (A4)

VICINITY MAP



NOT TO SCALE

LOCATION MAP



NOT TO SCALE

INDEX OF DRAWINGS

SHEET	DESCRIPTION
T-1	TITLE SHEET
Z-1	OVERALL SITE VIEW W/ AERIAL MAP
Z-2	OVERALL SITE PLAN
Z-3	PLANNED SITE PLAN
Z-4	PROPOSED LANDSCAPING
Z-5	PROPOSED TOWER ELEVATION

AT&T SIGNATURES

RFDS GENERAL INFORMATION

RFDS NAME: TBD

RFDS DESIGN: TBD

RFDS DATE: TBD

RFDS BY: TBD

RFDS CARRIER: TBD

DO NOT SCALE DRAWINGS

THESE DOCUMENTS ARE DRAWN TO SCALE FOR 2023A SITE SHEET. DOCUMENTS PRINTED IN 11X17 SIZE SHEET ARE REDUCED TO HALF THE ORIGINAL SCALE. SUBMITTANTS SHALL VERIFY ALL PLANS & DISTINGUISH DIMENSIONS & CONFORM TO THE JOB SITE & SHALL IMMEDIATELY NOTIFY THE ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME. THESE SITE PLANS SHALL ADHERE TO ALL OF THE REQUIREMENTS CALLED OUT IN THE JURISDICTION PLANNING AND ZONING FOR ANTENNAS AND SUPPORT STRUCTURES, WHERE SITE IS LOCATED.

PROJECT DIRECTORY

TOWER OWNER: TILLMAN INFRASTRUCTURE, 1505 LAKEMAN DR, SUITE 2850, LEWISVILLE, TX 75097, CHARLIE BOOTH, CHOOCH@TILLMANINFRASTRUCTURE.COM, PHONE: (314) 913-0151

APPLICANT: SKYWARD LAND SERVICES, 7081 WEST 133RD ST, SUITE 403, OVERLAND PARK, KS 66213, PATRICK LINDER, PHONE: (913) 826-4440, EMAIL: ELINOR@SKYWARD.COM

CONSTRUCTION: TILLMAN INFRASTRUCTURE, 1505 LAKEMAN DR, SUITE 2850, LEWISVILLE, TX 75097, CHARLIE BOOTH, CHOOCH@TILLMANINFRASTRUCTURE.COM, PHONE: (314) 913-0151

A/E FIRM: ASSOCIATED ENGINEERING, INC., 2708 NORTH MAIN STREET, ELKHORN, NE 68032, TOM MEDA, PHONE: (402) 386-5040, TMECH@A-E.COM

SECTION RECORD

REV	DATE	DESCRIPTION	BY
A	05/03/24	ZONING SUBMITTAL	AM
A	05/06/24	ZONING SUBMITTAL	WT

PROFESSIONAL STAMP



ENGINEER

SHEET TITLE

TITLE SHEET

SHEET NUMBER

T-1






SITE ID: TI-OPP-37632-A
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EL DORADO, KS 67042
BUTLER COUNTY

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ZONING: A-R

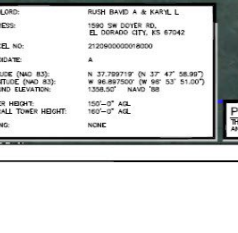
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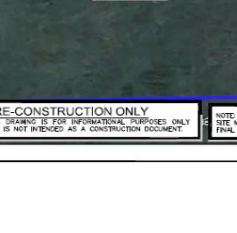
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RFDS CARRIER: TBD

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SECTION RECORD

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PROFESSIONAL STAMP



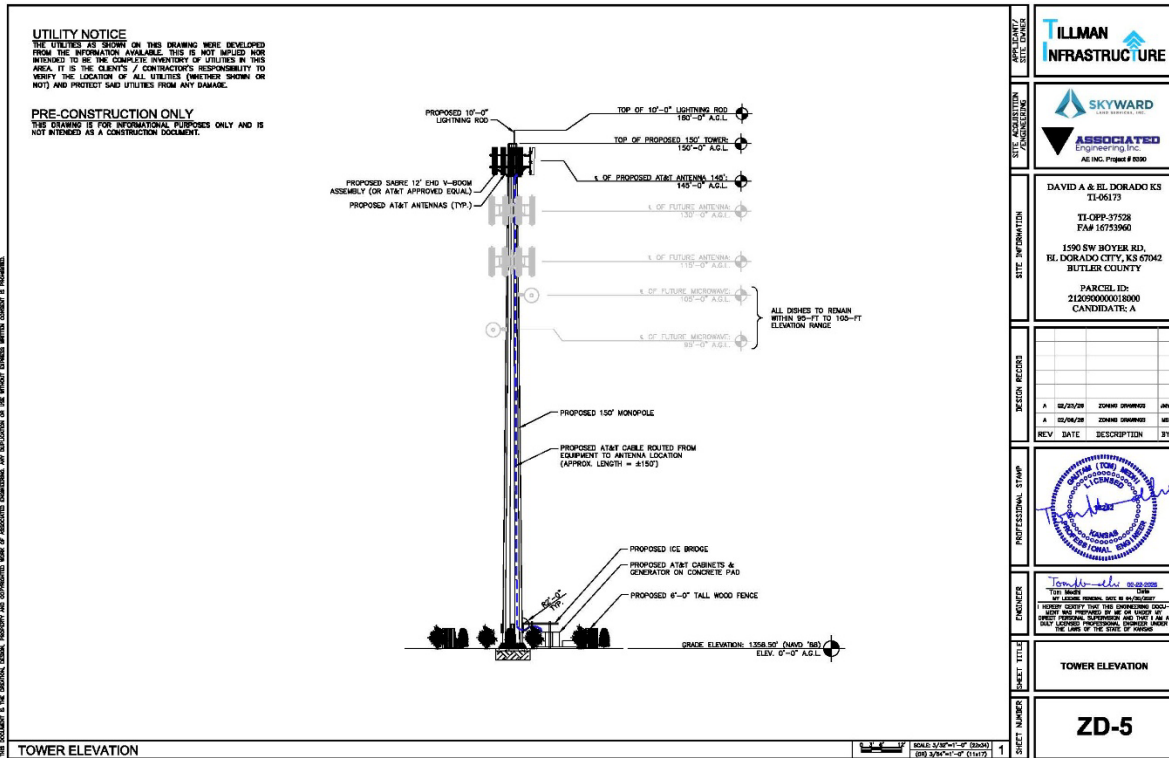
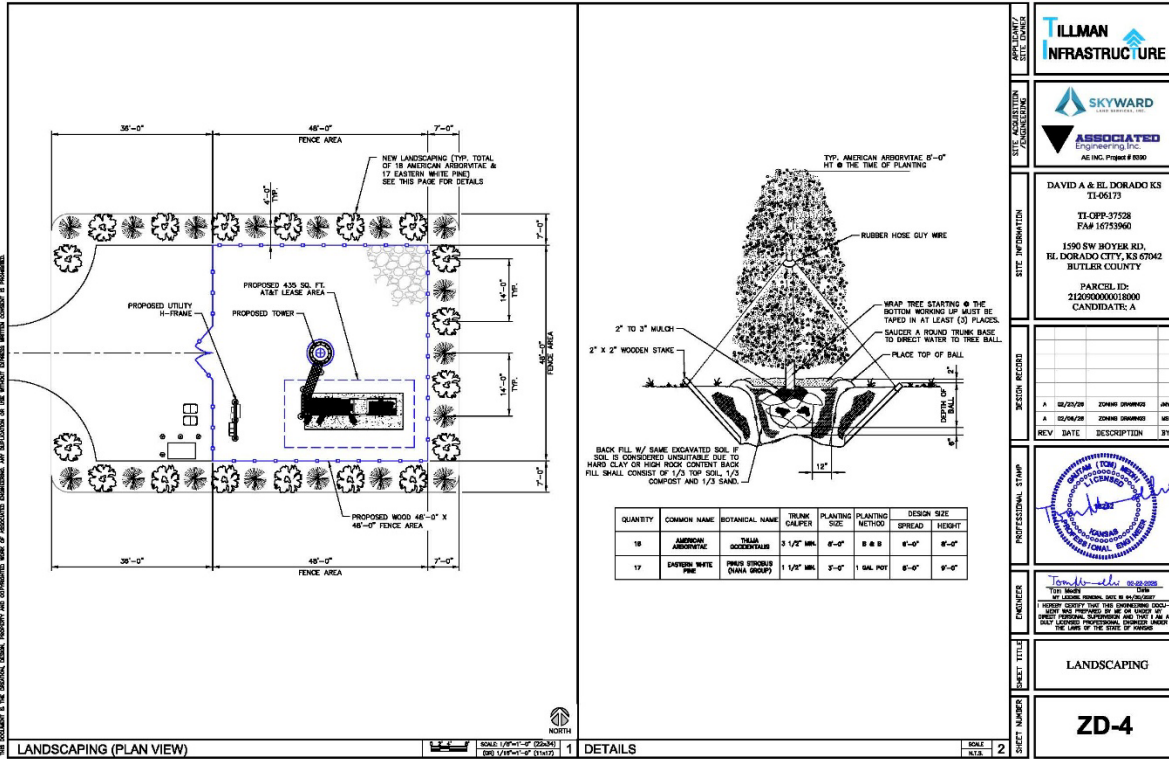
ENGINEER

SHEET TITLE

OVERALL SITE PLAN W/ AERIAL MAP

SHEET NUMBER

ZD-1



TILLMAN INFRASTRUCTURE

SKYWARD

ASSOCIATED Engineering Inc.
AEC INC. Project # 2020

DAVID A & EL DORADO KS
TL-06173
TL-06173
FAR 16733960
1590 SW BOYER RD.
RE. DORADO CITY, KS 67042
BUTLER COUNTY
PARCEL ID:
212000000010000
CANDIDATE: A

REVISION RECORD

PROFESSIONAL STAMP

CHECKER

SHEET TITLE

LANDSCAPING

SHEET NUMBER

ZD-4

TILLMAN INFRASTRUCTURE

SKYWARD

ASSOCIATED Engineering Inc.
AEC INC. Project # 2020

DAVID A & EL DORADO KS
TL-06173
TL-06173
FAR 16733960
1590 SW BOYER RD.
RE. DORADO CITY, KS 67042
BUTLER COUNTY
PARCEL ID:
212000000010000
CANDIDATE: A

REVISION RECORD

PROFESSIONAL STAMP

CHECKER

SHEET TITLE

TOWER ELEVATION

SHEET NUMBER

ZD-5

June 15, 2026
Joe Pisano
Tillman Infrastructure, LLC

RE: Proposed 150' Sabre Monopole for TI-OPP-37528, KS

Dear Joe,

Upon receipt of order, we propose to design and supply the above-referenced monopole for a Basic Wind Speed of 110 mph without ice and 40 mph + 1.5" ice, Risk Category II, Exposure Category C, and Topographic Category 1, in accordance with the Telecommunications Industry Association Standard ANSI/TIA-222-H, "Structural Standards for Steel Antenna Towers and Antenna-Supporting Structures".

When designed according to this standard, the wind pressures and steel strength capacities include several safety factors, resulting in an overall minimum safety factor of 25%. Therefore, it is highly unlikely that the monopole will fail structurally in a wind event where the design wind speed is exceeded within the range of the built-in safety factors.

Should the wind speed increase beyond the capacity of the built-in safety factors, to the point of failure of one or more structural elements, the most likely location of the failure would be within the monopole shaft, above the base plate. Assuming that the wind pressure profile is similar to that used to design the monopole, the monopole will buckle at the location of the highest combined stress ratio within the monopole shaft. This is likely to result in the portion of the monopole above leaning over and remaining in a permanently deformed condition. This would effectively result in a fall radius of 25' at ground level. *Please note that this letter only applies to the above-referenced monopole designed and manufactured by Sabre Industries.*

Sincerely,



Robert E Beacom



Digitally signed by Robert E. Beacom
DN: cn=Robert E. Beacom,
email=robert.beacom@sgs.com,
c=US, o=SGS Engineering, LLC, ou=US
Date: 2025.06.15 10:23:10-0500

06/15/2026

sabre

Sabre Industries, Inc.

7101 Southbridge Drive
Sioux City, IA 51111



June 11, 2026

Planning & Zoning
El Dorado City Hall
220 E. 1st St.
Commission Room
El Dorado, KS 67042

RE: Special Use Permit Application to erect a new 150ft monopole communication tower

Address: 1590 SW Boyer Rd, El Dorado, KS

Applicant: Tillman Infrastructure

Dear Members of the El Dorado Planning Commission,

It has come to our attention that Tillman Infrastructure is proposing the development of a new telecommunications facility located approximately 900 ft from an existing 150ft monopole telecommunications tower owned and operated by American Tower. Our facility is situated on a nearby parcel identified with the address of 1782 SW Boyer Rd, El Dorado, KS 67042.

This letter serves to formally notify the El Dorado Planning Commission that American Tower is prepared to collaborate with Tillman Infrastructure to identify a viable alternative solution, as a suitable facility currently exists within less than a half (1/2) mile from the newly proposed site.

American Tower remains committed to fostering cooperation and exploring feasible solutions that meet the needs of all parties to further minimize unnecessary infrastructure duplication.

Should you require additional information or wish to discuss this matter further, please do not hesitate to contact me via email at janicy.canales@americantower.com or by phone at 781-926-4556.

Sincerely,


Janicy Canales (she/her/hers)
Attorney
American Tower Corporation

PLANNING COMMISSION MEMORANDUM

TO: Planning Commission

FROM: Scott Rickard, Engineering Director

RE: Zone Change and Special Use Permit Request – 229 N. Washington

DATE: July 23, 2026

Background

Scribner Rentals and R.I.S.E. – Refuge in the Storm El Dorado have submitted two related land-use applications for the property at 229 N. Washington:

1. **Case No. 26-04-REZ:** Rezone the property from R-2 Residential Medium-Density District to R-3 Multiple Family Dwelling District.
2. **Case No. 26-04-SUP:** Approve a Special Use Permit to operate a transitional housing facility.

The property is located at the southwest corner of North Washington Street and West Second Avenue. The zoning map shows R-3 zoning directly east of the property across Washington Street. The property is otherwise surrounded primarily by R-1 zoning to the north, west, and south, with commercial and institutional uses located nearby toward Central Avenue.

The property contains a two-story residential structure constructed in approximately 1875, a detached garage, alley access, and a limited parking area. The home was previously rezoned from R-1 to R-2 to permit its conversion into a duplex. The structure currently contains two separate living units, with one unit on the main floor and one unit on the upper floor.

A variance was also previously granted to reduce the off-street parking requirements associated with the duplex use. That variance was considered specifically in connection with the two-family residential use. It does not establish that the property has adequate parking for a transitional housing facility involving shelter guests, resident caretakers, employees, volunteers, client appointments, meal service, resource-center activities, and other operational traffic. Parking for the proposed use must therefore be separately evaluated through the Special Use Permit process.

Prior to the scheduled public hearing, the City received a complaint concerning possible R.I.S.E. activity at the property. The information included posted operating hours, advertised meal service, an organizational sign, and public-facing materials identifying 229 N. Washington as an active R.I.S.E. location.

On July 8, 2026, the City notified R.I.S.E. that the existing R-2 zoning allowed the property to be used as a single-family or two-family dwelling but did not authorize transitional housing, shelter operations, a resource center, public meal service, client intake, nonprofit office operations, or similar activities. R.I.S.E. was directed to cease the non-permitted use, remove the sign, and correct public-facing information while the applications were pending. R.I.S.E. subsequently responded in writing that it would cease the activity pending the outcome of the zoning process.

The filing of the rezoning and Special Use Permit applications does not authorize the proposed operation to begin. If approved, the use may not begin until the rezoning and Special Use Permit are effective, all conditions have been met, the required remodeling and code reviews have been completed, and a Certificate of Occupancy has been issued.

Rezoning Request – R-2 to R-3

In accordance with Article 13 of the El Dorado Zoning Regulations, the Planning Commission should consider the following factors when reviewing the zoning map amendment.

1. Character of the Neighborhood

The area includes a mixture of residential densities and nearby institutional and commercial uses. R-1 zoning predominates west of Washington Street, while an established area of R-3 zoning is located directly east of the subject property.

The subject property is positioned along the edge of these zoning patterns. R-3 zoning would extend the existing higher-density residential classification across Washington Street to one corner property rather than introduce an isolated district into the interior of a single-family block.

The structure would retain its exterior residential appearance. The principal neighborhood compatibility issue is therefore not the appearance or size of the building but the intensity and manner of the proposed operation, including the number of occupants, hours, traffic, parking, client visits, meal service, staffing, and evening or overnight activity. Those issues can be more directly addressed through conditions on the Special Use Permit.

2. Consistency with the Comprehensive Plan

The Future Land Use Map identifies the area as Neighborhood Mixed Use. This designation supports a mixture of residential building types and limited neighborhood-serving uses where they are appropriately located and designed to remain compatible with surrounding residential properties.

The requested R-3 zoning is generally consistent with the mixed-use designation and the existing R-3 zoning directly east of the property. The rezoning would also recognize the property's location near Central Avenue, churches, institutional uses, and community services.

The Comprehensive Plan designation does not automatically establish that every R-3 use is appropriate at the property. The intensity of the transitional housing operation must still be evaluated through the Special Use Permit standards.

3. Adequacy of Public Utilities and Services

The property has access to municipal water, sanitary sewer, refuse collection, police protection, fire protection, electricity, and gas.

No major public utility extension is anticipated. However, the applicant must demonstrate that the existing water, sewer, electrical, plumbing, mechanical, and fire-protection systems are adequate for the final occupancy classification and occupant load.

The existing residential utility systems should not be assumed to be adequate for a shelter and resource-center operation until the proposed plans have been reviewed.

4. Suitability of the Property's Current Zoning

The current R-2 zoning allows the property to continue as a single-family or two-family residence. It does not allow transitional housing.

The existing zoning remains suitable for the duplex use previously approved. However, it is not suitable for the use now proposed by R.I.S.E. Appendix A of the Zoning Regulations identifies transitional housing as a Special Use in the R-3 district but not as an allowed use in R-2.

The request is therefore not merely an expansion of the approved duplex use. It is a change to a separate land-use category requiring both rezoning and Special Use Permit approval.

5. Length of Time as Zoned

The structure has been used as residential property since its construction. The property was rezoned from R-1 to R-2 in 2025 to allow its conversion into a duplex.

The relatively recent R-2 rezoning does not prevent further consideration of the property, but it demonstrates that the original approval and parking variance were based on a considerably less intensive two-family residential use.

6. Compatibility of the Proposed Zoning with Nearby Properties

R-3 zoning exists directly across North Washington Street. The requested zoning would therefore be adjacent to an established R-3 district and would provide a transition between that district and the lower-density residential area to the west.

The compatibility of the R-3 classification is separate from the compatibility of the proposed R.I.S.E. operation. Approval of the rezoning would permanently allow other uses permitted in R-3, even if R.I.S.E. later discontinues its operation.

7. Potential Detrimental Effects on Nearby Properties

The zoning classification itself is not expected to create an immediate physical impact because no building expansion is currently proposed.

Potential impacts associated with the proposed use include:

- Increased vehicle activity;
- Employee and volunteer parking;
- Client arrivals and departures;
- Evening and overnight activity;
- Outdoor waiting or congregation;
- Meal preparation and delivery;
- Noise and lighting;
- Property maintenance;
- Calls for police, fire, or emergency medical assistance; and
- A greater number of persons using the property than under the duplex use.

These impacts can be reduced through clear limitations on capacity, hours, staffing, parking, admissions, outdoor activities, security, and property maintenance.

8. Relative Loss or Gain

The public gain would include the availability of emergency shelter, housing-stabilization assistance, case management, and connections to permanent housing and employment resources.

The potential loss would be increased activity on a property located immediately next to lower-density residential homes. Approval without detailed operating conditions could leave uncertainty regarding occupancy, hours, parking, shelter operations, meal service, and client access.

Approval of the rezoning together with a detailed and enforceable Special Use Permit would provide a method of recognizing the public benefit while establishing limits intended to protect surrounding properties.

Special Use Request – Transitional Housing

City Definition of Transitional Housing

Article 3 of the El Dorado Zoning Regulations defines Transitional Housing as:

“A facility, occupied by not more than 30 residents, with staff members as needed, which provides transitional housing for the purpose of facilitating the movement of homeless individuals and families to permanent housing, and which may also include providing ancillary services such as employment counseling, vocational training, dining and food preparation, and individual or group behavioral health interventions.”

This definition establishes several important parts of the proposed use.

First, the principal purpose must be to assist homeless individuals and families in moving toward permanent housing. The property is not approved simply as a general office, public resource center, meal-distribution location, or unrestricted drop-in facility. Those activities may occur only when they remain connected and subordinate to the approved transitional housing program.

Second, the zoning definition establishes an absolute maximum of 30 residents. This is a zoning limit and does not guarantee that the building can lawfully accommodate 30 residents. The actual allowable occupancy may be substantially lower after the Building Official, Fire Department, design professional, and Kansas State Fire Marshal determine the applicable occupancy classification, occupant load, sleeping-area limitations, exits, plumbing fixtures, accessibility, fire alarms, sprinkler requirements, and other life-safety requirements.

Third, staff members are allowed as needed to operate the facility. Employees, volunteers, resident caretakers, visitors, and resource-center clients are not automatically included within the 30-resident zoning limit, but all persons inside the building count toward the applicable building and fire-code occupant load.

Fourth, dining, food preparation, employment assistance, referrals, case management, and behavioral-health support may be provided as ancillary services. The approval would not authorize the property to operate as a standalone restaurant, public food-distribution site, medical facility, inpatient behavioral-health facility, detoxification center, correctional placement facility, or other materially different use.

Article 6, Section 24 further provides that only one transitional home is allowed in each zoning district, requires a Management Plan, and prohibits transitional housing within the El Dorado Business Park. Meaning if approved this location would be the only allowed transitional housing facility within the R-3 zoning designation in the City.

Proposed R.I.S.E. Operation

R.I.S.E.'s Management and Operations Plan identifies the following proposed activities:

- Seasonal emergency shelter services;
- Resource-center activities;
- Housing-stabilization assistance;
- Case management;
- Employment assistance;
- Community-resource referrals;
- Meal preparation and service;
- Administrative offices; and
- Resident-caretaker oversight.

The Site Utilization Plan on pages 7 and 8 assigns shelter sleeping areas, resource-center activities, meals, case management, common areas, and restroom facilities to the main floor. Separate areas are proposed for male guests, female guests, and families when appropriate.

The upper floor would be used for administrative offices, program administration, case-management meetings, recordkeeping, storage, and quarters for no more than two unrelated resident caretakers. The Management Plan specifically states that shelter guests will not be housed overnight on the upper floor.

The Occupancy Plan on page 9 does not propose a specific number of overnight guests. Instead, it states that maximum occupancy will be established by applicable fire-code requirements. This is the appropriate approach because occupancy cannot be determined through the zoning process alone.

Seasonal Shelter and Resource-Center Operations

For purposes of this Special Use Permit, the seasonal emergency shelter should be understood as a limited component of the overall transitional housing program.

The seasonal emergency shelter would provide temporary overnight accommodations through a managed admission process to individuals and families experiencing homelessness or exposure to dangerous weather. It would not authorize year-round overnight shelter, permanent residential tenancy, a hotel, boarding house, general lodging establishment, or an unrestricted public drop-in center.

The Management Plan proposes the following schedule on page 12:

Resource Center

- April 1 through October 31;
- Monday, Wednesday, and Thursday; and
- 11:00 a.m. to 4:00 p.m.

Seasonal Emergency Shelter

- November 1 through March 31;
- Seven days per week;
- Standard evening hours of 6:00 p.m. to 10:00 p.m.; and
- Expanded Wednesday and Thursday hours beginning at 2:00 p.m.

The plan also states that the facility may open earlier during severe winter weather and may provide overnight shelter during cold-weather periods. The proposed language does not clearly establish morning checkout time, the circumstances allowing continuous daytime occupancy, or the procedure for activating severe-weather operations. Those details should be clarified through Special Use Permit conditions and a final written operating schedule.

Managed Admissions and Waiting Areas

The Management Plan provides that potential guests may be referred by churches, community organizations, law enforcement, social-service agencies, hospitals, family members, or through self-referral.

Prior to admission, guests would complete an intake process that includes basic screening, identification verification when available, review of shelter policies, safety screening, a needs assessment, and resource and referral review.

The plan states that R.I.S.E. will not operate a first-come, first-served public line system. Guests would be encouraged to contact R.I.S.E. or a referral partner before arriving. When capacity has been reached, individuals may be referred to another agency, alternative lodging, or other available community resources.

The Congregation and Waiting Areas section on page 11 commits R.I.S.E. to discouraging loitering, outdoor congregation, and unnecessary waiting. Individuals generally would not be permitted to arrive more than 30 minutes before operating hours. R.I.S.E. also proposes managed admissions rather than unsupervised lines or an open-access, day-long gathering location.

Staffing, Security, and Guest Conduct

The Management Plan requires a minimum of two trained adults to be present whenever guests are onsite. Volunteers may assist with intake, meals, monitoring, recordkeeping, and guest support.

Security procedures identified in the plan include:

- Guest registration;
- Identification verification;
- Metal-detector and contraband screening;
- Secure medication procedures;
- Security-camera monitoring;
- Incident documentation; and
- Staff and volunteer supervision.

Firearms, weapons, illegal drugs, drug paraphernalia, and alcoholic beverages are prohibited.

Guests are expected to follow facility policies, respect staff and neighbors, maintain cleanliness, avoid disruptive conduct, participate in assigned cleaning responsibilities, and refrain from loitering. The plan provides for verbal and written warnings, suspension or loss of shelter privileges, and immediate removal for serious safety violations.

Parking

The Management Plan identifies two garage parking spaces and two driveway-apron spaces. It also references public street parking and possible coordination with the First Church of the Nazarene.

The four identified onsite spaces should remain available for parking and should not be displaced by storage or other activities. Public street parking should not be treated as guaranteed or reserved parking for the facility. Any reliance on church or other offsite parking should be supported by a written agreement identifying the number and location of spaces, the hours they are available, and the responsible parties.

The final parking plan must account for resident caretakers, employees, volunteers, service providers, visitors, and clients. The number of staff, volunteers, appointments, and visitors permitted at one time may need to be limited based on the parking that is actually available.

Special Use Permit Standards

Article 10 authorizes the City to place conditions on the establishment, location, construction, maintenance, and operation of a Special Use Permit when needed to protect the public interest and secure compliance with the Zoning Regulations.

A. Location and Size of the Proposed Use

The property is an existing residential lot containing a two-story home and detached garage. No building addition is proposed.

The physical scale of the property remains residential. The intensity of the proposed operation must therefore be controlled through occupant limits, operating hours, staffing, admissions, parking, and restrictions on outdoor activities.

B. Municipal Services, Access, Traffic, and Parking

The property is accessible to police, fire, refuse collection, and emergency medical services. Washington Street and Second Avenue provide public street access, and the garage is accessed from the alley.

The proposed operation may generate more traffic and parking demand than the approved duplex. A final parking, arrival, and drop-off plan is necessary before occupancy.

C. Utilities and Services

Municipal utilities are available. The applicant must demonstrate through the building-permit process that all utility and building systems are adequate for the approved occupancy.

D. Structures, Fencing, and Relation to Adjoining Properties

The existing home will retain its residential exterior appearance. R.I.S.E. proposes to replace the existing rear fence with a privacy fence to provide a more secure and screened outdoor area.

Any fence must comply with applicable height, sight-triangle, permit, and maintenance requirements. Lighting and security cameras must be arranged to avoid unnecessary glare or intrusion onto neighboring properties.

E. Yards, Open Space, and Signs

No expansion into required yards is proposed. All signs must receive required City approval. The Special Use Permit would not authorize temporary, portable, electronic, or off-premises signs that do not otherwise comply with the Sign Regulations.

F. Compatibility and Community Welfare

The proposed operation would provide a community service but is more intensive than a duplex. Compatibility depends upon the operator following the approved Management Plan and the City imposing enforceable conditions addressing capacity, hours, staffing, parking, safety, outdoor activity, property maintenance, and neighborhood concerns.

Building, Fire, and Occupancy Review

The zoning designation of R-3 Multiple Family Dwelling District is not the same as a Group R-3 occupancy classification under the International Building Code. The final building occupancy classification is a separate technical determination based on the actual operation, sleeping arrangements, level of supervision, length of stay, floor plan, and services provided.

The proposed conversion from a duplex to a shelter, resource center, office, meal-service area, and caretaker residence constitutes a change in use and potentially a change in occupancy. Before remodeling or operation, the applicant should submit a code footprint and construction plans prepared by a Kansas-licensed design professional.

Kansas fire-prevention regulations require a code footprint for a change in occupancy or building renovation, subject to applicable exceptions. Whether the project must be formally submitted to the Kansas State Fire Marshal will depend upon the final occupancy classification and project scope. The applicant should therefore provide either written State Fire Marshal approval or written confirmation that formal State review is not required.

No operation may begin until the required work is completed and the City issues a Certificate of Occupancy establishing the approved occupancy classification and maximum occupant load.

Recommended Conditions of Approval

Staff recommends that any approval of Case No. 26-04-SUP be subject to the following conditions:

1. Effective Date

No transitional housing, shelter, resource-center, client-intake, meal-service, office, or other R.I.S.E. operation may begin until:

- The R-3 rezoning and Special Use Permit are finally approved and effective;
- Any required ordinance or resolution has been published;
- All required permits and approvals have been issued;
- Required remodeling and safety improvements have been completed; and

- A Certificate of Occupancy has been issued.

2. Incorporation of Management Plan

The R.I.S.E. Management and Operations Plan dated July 23, 2026, including its site plan and Shelter Policies and Procedures Manual, shall be incorporated into and made a condition of the Special Use Permit.

The facility shall be operated substantially in accordance with that plan. If the Management Plan conflicts with a specific Special Use Permit condition, the Special Use Permit condition shall control.

R.I.S.E. may not revise the approved plan in a way that changes capacity, hours, staffing, floor use, parking, admissions, services, or neighborhood impacts without prior City approval.

3. Approved Operator

The Special Use Permit shall be issued specifically to R.I.S.E. – Refuge in the Storm El Dorado for the operation described in the approved Management Plan.

Consistent with Article 10, a Special Use Permit in a residential district shall not automatically transfer to another owner or operator.

4. Scope of Transitional Housing Approval

The approval shall be limited to transitional housing intended to assist homeless individuals and families in moving toward permanent housing.

Authorized ancillary activities may include:

- Seasonal emergency shelter;
- Housing stabilization;
- Case management;
- Employment assistance;
- Community-resource referrals;
- Meal preparation and service for program participants;
- Administrative functions; and
- Resident-caretaker oversight.

The approval does not authorize:

- A general public meal-distribution site;
- An unrestricted public drop-in center;
- A hotel or boarding house;
- Permanent residential tenancy for shelter guests;
- Medical detoxification;

- Inpatient medical or behavioral-health treatment;
- Correctional or court-ordered placement;
- A public event venue; or
- Any other materially different use.

5. Definition of Seasonal Emergency Shelter

For purposes of this Special Use Permit, “Seasonal Emergency Shelter” means short-term, program-based overnight shelter provided through a managed admission process between November 1 and March 31 to individuals and families experiencing homelessness or exposure to unsafe weather conditions.

The seasonal shelter is an ancillary component of the transitional housing operation and does not authorize year-round overnight shelter.

Overnight shelter outside the approved season shall be prohibited unless temporarily authorized in writing by the City in response to a declared emergency or unusual severe-weather event.

6. Resource-Center Hours

From April 1 through October 31, public resource-center and client-service operations shall be limited to:

- Monday, Wednesday, and Thursday; and
- 11:00 a.m. to 4:00 p.m.

No shelter guests may remain overnight during this period unless specifically authorized under the emergency provision of the Special Use Permit.

7. Seasonal Shelter Hours

From November 1 through March 31:

- Shelter intake and evening services may occur seven days per week from 6:00 p.m. to 10:00 p.m.
- On Wednesday and Thursday, resource-center and client-service activities may begin at 2:00 p.m.
- After 10:00 p.m., only admitted overnight guests, on-duty staff, approved volunteers, emergency responders, and resident caretakers may remain onsite.
- Normal morning checkout shall occur no later than 8:00 a.m., unless an approved severe-weather activation is in effect.

8. Severe-Weather Activation Plan

Before occupancy, R.I.S.E. shall submit a written severe-weather activation plan for approval by the Zoning Administrator, Building Official, Fire Department, and Emergency Management, as applicable.

The plan shall establish:

- Objective weather or emergency activation criteria;
- Who is authorized to activate extended operations;

- Extended opening and closing hours;
- Staffing requirements;
- Notification procedures;
- Meal and supply provisions;
- Maximum occupancy;
- Transportation and overflow procedures; and
- Procedures for ending the activation.

When reasonably possible, R.I.S.E. shall notify designated City contacts before beginning extended or continuous severe-weather operations.

9. Administrative Office Hours

Routine administrative work may occur outside public resource-center hours between 8:00 a.m. and 5:00 p.m., Monday through Friday.

Public client intake, meal distribution, group programming, and other public-facing activities may occur only during the approved resource-center or shelter hours.

10. Managed Admissions

Admissions shall be conducted through the managed intake and referral process described in the Management Plan.

The facility shall not operate as an unrestricted walk-in or first-come, first-served shelter line. Guests shall not be instructed or encouraged to wait on sidewalks, streets, alleys, neighboring properties, or other public areas.

Except during an emergency, persons seeking services shall not arrive more than 30 minutes before the applicable opening time.

11. No Outdoor Waiting or Congregation

R.I.S.E. shall actively prevent:

- Outdoor waiting lines;
- Unsupervised congregation;
- Loitering;
- Blocking of sidewalks, streets, or alleys;
- Outdoor sleeping; and
- Use of neighboring property without permission.

Outdoor meal distribution, outdoor programming, or public gatherings are prohibited unless separately approved by the City.

12. Occupancy Limit

The maximum overnight shelter occupancy shall be the lowest number established by:

- The Certificate of Occupancy;
- The approved code footprint;
- The fire-code occupant-load calculation;
- The approved sleeping-area plan; or
- The zoning maximum of 30 residents.

The approved maximum occupant load shall be posted in a visible location and shall not be exceeded.

13. Temporary and Program-Based Stays

Shelter stays shall be temporary and connected to the approved transitional housing and housing-stabilization program.

Before occupancy, R.I.S.E. shall submit a written length-of-stay and discharge policy. No shelter guest may establish a permanent dwelling unit or tenancy at the property.

This condition does not apply to the two approved resident caretakers.

14. Main-Floor Use

Shelter sleeping areas, meals, resource-center activities, common areas, and guest services shall be limited to approved areas on the main floor.

Sleeping locations, beds, cots, partitions, furniture, and storage shall be maintained in accordance with the approved floor plan and shall not obstruct exits, corridors, doors, fire-protection equipment, or required accessible routes.

15. Upper-Floor Use

The upper floor may be used only for:

- Administrative offices;
- Program administration;
- Case-management meetings;
- Recordkeeping;
- Storage approved by the Building and Fire Officials; and
- Residential quarters for no more than two unrelated resident caretakers.

No shelter guest may be housed or permitted to sleep overnight on the upper floor.

16. Resident Caretakers

No more than two unrelated resident caretakers may reside at the property.

Resident caretakers shall not be counted as shelter guests and shall have duties involving property oversight, security, maintenance monitoring, and reporting of repair or safety concerns.

The caretaker quarters must be approved under the final building occupancy classification.

17. Minimum Staffing

At least two trained adults shall be physically present whenever shelter guests or resource-center clients are onsite.

During overnight shelter operations:

- At least one trained adult shall remain awake and actively on duty; and
- A second trained adult shall remain onsite and immediately available.

Resident caretakers may be counted toward the staffing requirement only when they have completed the required training and are assigned to an active duty shift.

18. Staff and Volunteer Training

Before working without direct supervision, staff and volunteers shall receive training appropriate to their assigned duties, including:

- Emergency and evacuation procedures;
- Fire-extinguisher and alarm procedures;
- Guest intake;
- De-escalation;
- Incident reporting;
- Medication procedures;
- Prohibited items;
- Severe-weather operations;
- Child and family safety; and
- The Good Neighbor Policy.

Training records shall be maintained and made available to the City upon reasonable request.

19. Responsible Facility Manager

R.I.S.E. shall designate a facility manager responsible for daily compliance with the Special Use Permit and Management Plan.

The City shall be provided with:

- The manager's name;
- A primary telephone number;

- An after-hours emergency number; and
- A backup contact.

Contact information shall be updated within five business days of any change.

20. Minors and Families

Minor children may be admitted only when accompanied by a parent, legal guardian, or other adult legally responsible for the child, unless R.I.S.E. obtains all separate licenses and approvals required to serve unaccompanied minors.

Families shall be provided with an approved sleeping arrangement that offers reasonable privacy and separation from unrelated adult guests.

21. Safety and Security Program

R.I.S.E. shall implement the security measures contained in the Management Plan, including:

- Guest registration;
- Intake and safety screening;
- Identification verification when available;
- Contraband screening;
- Security-camera monitoring;
- Secure medication procedures;
- Incident documentation; and
- Staff and volunteer supervision.

Firearms, weapons, illegal drugs, drug paraphernalia, and alcoholic beverages shall be prohibited.

22. Emergency Plan

Before occupancy, R.I.S.E. shall submit an emergency operations and evacuation plan approved by the Fire Department, Police Department, and Building Official.

The plan shall address:

- Fire and evacuation;
- Severe weather;
- Medical emergencies;
- Violent or threatening conduct;
- Missing children or vulnerable guests;
- Utility outages;

- Shelter-in-place procedures;
- Emergency contacts; and
- Transportation or relocation when the building cannot be occupied.

Required evacuation drills shall be conducted and documented.

23. Incident and Occupancy Records

R.I.S.E. shall maintain non-confidential compliance records that include:

- Daily operating hours;
- Nightly occupancy;
- Staff and volunteer coverage;
- Safety or behavioral incidents;
- Emergency-service calls;
- Guest removals;
- Neighborhood complaints; and
- Corrective actions taken.

Records shall be retained for at least two years and provided to the City upon reasonable request, subject to applicable confidentiality requirements.

24. Good Neighbor Policy

R.I.S.E. shall enforce the Good Neighbor Policy contained in the Management Plan, including:

- Maintaining a clean property;
- Monitoring guest conduct;
- Preventing loitering;
- Responding promptly to complaints;
- Cooperating with City staff and law enforcement;
- Controlling arrival times; and
- Preventing outdoor waiting lines.

A neighborhood complaint contact shall be maintained throughout the operation.

25. Meal Service

Meal preparation and service shall remain ancillary to the transitional housing and resource-center programs.

Meals may be served only to admitted shelter guests, participating clients, staff, and volunteers during approved operating hours.

The Special Use Permit does not authorize general public meal distribution from the property. All required food-handling, kitchen, health, fire, and other regulatory approvals must be obtained before meal service begins.

26. Parking Plan

Before occupancy, R.I.S.E. shall submit a final parking plan identifying parking for:

- Resident caretakers;
- Employees;
- Volunteers;
- Service providers;
- Visitors; and
- Clients.

The plan shall also identify the maximum number of employees, volunteers, appointments, and visitors permitted onsite at one time.

27. Onsite Parking Availability

The two garage spaces and two driveway spaces identified in the Management Plan shall remain available for vehicle parking during operating hours.

The garage may not be converted to program space or used for storage in a manner that prevents the required vehicles from parking inside.

28. Shared or Offsite Parking

Any reliance on parking owned by a church or other third party shall require a written shared-parking agreement acceptable to the City.

The agreement shall identify:

- The location and number of spaces;
- The hours and days available;
- The term of the agreement;
- Maintenance responsibilities; and
- Procedures if the agreement terminates.

Termination of required shared parking may require a reduction in facility operations or an amendment to the Special Use Permit.

29. Arrival and Drop-Off Plan

R.I.S.E. shall establish a designated arrival, pickup, delivery, and drop-off procedure that does not block Washington Street, Second Avenue, the alley, neighboring driveways, or pedestrian routes.

Vehicles shall not be permitted to idle for extended periods near neighboring residences.

30. Fencing and Outdoor Area

Before shelter operations begin, R.I.S.E. shall install or repair the rear-yard privacy fence shown in the Management Plan, subject to required permits and zoning approval.

The fenced area shall not be used for overnight sleeping, public programming, public meal distribution, or unsupervised congregation.

31. Property Maintenance

R.I.S.E. shall maintain the building, yard, garage, fencing, parking area, and alley access in a clean and safe condition.

Trash, donated materials, bedding, personal belongings, food, and program supplies shall be stored inside approved areas and shall not accumulate outdoors.

Donation deliveries shall be scheduled and managed to avoid outdoor storage or obstruction of parking and access.

32. Lighting, Cameras, and Noise

Exterior lighting shall be directed and shielded to minimize glare onto neighboring properties.

Security cameras shall be positioned for legitimate property and safety monitoring and shall not be directed into the private living areas of neighboring residences.

Outdoor amplified sound and unnecessary nighttime noise are prohibited.

33. Signs

All signs shall comply with the City Sign Regulations and obtain required permits.

No sign identifying the property as an active R.I.S.E. operating location may be installed until the zoning approvals are effective and a Certificate of Occupancy has been issued.

34. Building and Remodeling Plans

Before remodeling begins, the applicant shall submit complete plans prepared by the appropriate Kansas-licensed design professionals.

The plans shall identify:

- Proposed occupancy classification;
- Occupant loads;
- Sleeping areas;
- Floor uses;
- Exit routes;

- Accessibility;
- Fire alarms and sprinkler systems;
- Emergency lighting;
- Plumbing fixtures;
- Kitchen and meal-service areas;
- Mechanical and electrical systems; and
- All proposed construction.

35. Code Footprint and State Fire Marshal

A code footprint shall be prepared by a Kansas-licensed design professional and submitted to the City.

Before occupancy, the applicant shall provide either:

- Written approval from the Kansas State Fire Marshal; or
- Written confirmation from the State Fire Marshal or qualified code authority that formal State submission is not required.

36. Certificate of Occupancy

No shelter guest, resource-center client, employee, volunteer, or resident caretaker may occupy the property for the approved use until a Certificate of Occupancy has been issued.

The facility shall thereafter remain in compliance with the approved occupancy classification, occupant load, floor plan, and all building and fire-code requirements.

37. Inspections

The applicant shall allow inspections by the Building Official, Fire Department, Zoning Administrator, and other authorized agencies.

Required fire, building, food-service, and life-safety inspections shall remain current throughout the operation.

38. Annual Management Plan Update

R.I.S.E. shall submit an updated Management and Operations Plan to the Zoning Administrator by October 1 of each year.

The update shall identify:

- Current leadership and contacts;
- Proposed seasonal operating schedule;
- Maximum approved capacity;
- Staffing plan;

- Parking arrangements;
- Training status;
- Any changes in services; and
- Any requested revisions to the approved operation.

39. Compliance Review

City staff shall conduct a compliance review approximately six months after operations begin and annually thereafter.

R.I.S.E. shall provide an aggregate report identifying:

- Dates the shelter and resource center operated;
- Average and maximum occupancy;
- Number of severe-weather activations;
- Significant incidents;
- Emergency-service calls;
- Neighborhood complaints;
- Corrective actions; and
- Changes in staffing or parking.

40. Material Changes

A material change in ownership, operator, floor use, occupancy, services, hours, staffing, parking, admissions, or the Management Plan shall be submitted to the Zoning Administrator before implementation.

The Zoning Administrator may determine that a material change requires an amendment to the Special Use Permit and an additional public hearing.

41. Violations and Enforcement

Failure to comply with the Special Use Permit, Management Plan, Certificate of Occupancy, approved plans, or applicable laws may result in enforcement action.

Repeated or substantial violations may constitute grounds for the City to initiate proceedings to suspend, revoke, amend, or terminate the Special Use Permit as permitted by law.

42. Sunset and Abandonment

The Special Use Permit shall be subject to the sunset and abandonment provisions of Article 10.

The permit may expire if the use is not timely established or if the approved operation ceases or is abandoned for more than 12 months, subject to the procedures contained in the Zoning Regulations.

Relationship Between Rezoning and Special Use Permit

The Special Use Permit is contingent upon approval and effectiveness of the R-3 rezoning. If the rezoning is denied, the Special Use Permit request becomes moot because transitional housing is not an allowed use in the existing R-2 district.

If the rezoning is approved but the Special Use Permit is denied, the property will remain zoned R-3 and may be used for other uses permitted in that district, but it may not be operated as transitional housing.

The rezoning is a permanent change to the zoning map. The Special Use Permit is a use-specific approval tied to R.I.S.E., the approved Management Plan, and the conditions established through this process.

Kansas law requires the rezoning to proceed through the public-hearing, Planning Commission recommendation, Governing Body action, and publication process. A qualifying protest petition filed within the statutory period may require a three-fourths vote of the Governing Body.

Staff Recommendation

Staff recommends approval of **Case No. 26-04-REZ**, rezoning 229 N. Washington from R-2 Residential Medium-Density District to R-3 Multiple Family Dwelling District, based on the property's location adjacent to existing R-3 zoning, the mixed residential character of the area, and the Neighborhood Mixed Use designation.

Staff further recommends approval of **Case No. 26-04-SUP** to allow R.I.S.E. – Refuge in the Storm El Dorado to operate a transitional housing facility, subject to all conditions contained in this memorandum.

The recommended conditions are intended to make the Management and Operations Plan enforceable, clearly define the approved seasonal shelter and resource-center operations, establish hours and occupancy limits, protect surrounding properties, and ensure that the building is not occupied until all building, fire, parking, and life-safety requirements have been satisfied.

Suggested Motions

Rezoning Motion – Approval

I move to recommend approval of Case No. 26-04-REZ, an application by Scribner Rentals to rezone 229 N. Washington from R-2 Residential Medium-Density District to R-3 Multiple Family Dwelling District, based on the findings contained in the staff report and the evidence presented at the public hearing.

Rezoning Motion – Denial

I move to recommend denial of Case No. 26-04-REZ, an application by Scribner Rentals to rezone 229 N. Washington from R-2 Residential Medium-Density District to R-3 Multiple Family Dwelling District, finding _____.

Special Use Permit Motion – Approval

I move to recommend approval of Case No. 26-04-SUP, allowing R.I.S.E. – Refuge in the Storm El Dorado to operate a transitional housing facility at 229 N. Washington, subject to the Management and Operations Plan dated July 23, 2026, the conditions contained in the staff report, and compliance with all applicable zoning, building, fire, life-safety, parking, licensing, and occupancy requirements.

Special Use Permit Motion – Denial

I move to recommend denial of Case No. 26-04-SUP, the request by R.I.S.E. – Refuge in the Storm El Dorado to operate a transitional housing facility at 229 N. Washington, finding _____.

Legend

 Subject Property

 200' Buffer

Zoning 2026

Zone

 C-1

 C-2

 R-1

 R-2

 R-3



W 3RD AVE

W 2ND AVE

W 1ST AVE

N TAYLOR ST

N WASHINGTON ST

N STAR ST

SUBJECT PROPERTY

200' Buffer



R.I.S.E.

REFUGE IN THE STORM EL DORADO

SPECIAL USE PERMIT APPLICATION

MANAGEMENT & OPERATIONS PLAN

Property Address:

229 N. Washington Street
El Dorado, Kansas 67042

Submitted To:

City of El Dorado Planning Commission

Applicant:

R.I.S.E. – Refuge In The Storm El Dorado

Date:

July 23, 2026

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 10. Occupancy Plan
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 15. Guest Responsibilities
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 20. Community Partners
 21. Public Benefits
 22. Commitment to Compliance
 23. Appendix A – Site Plan
 24. Appendix B – Shelter Policies and Procedures Manual
-

EXECUTIVE SUMMARY

R.I.S.E. (Refuge In The Storm El Dorado) respectfully requests approval of a Special Use Permit for operation of a Transitional Housing Facility, as defined by the City of El Dorado, at 229 North Washington Street.

The proposed use includes:

- Seasonal Emergency Shelter Services
- Day Resource Center Services
- Housing Stabilization Assistance
- Case Management
- Employment Assistance
- Community Resource Referrals
- Administrative Offices
- Resident Caretaker Oversight

The facility will provide supervised services to individuals and families experiencing homelessness and housing instability while maintaining compatibility with the surrounding neighborhood through written policies, active management, security procedures, and responsible stewardship of the property.

TRANSITIONAL HOUSING DEFINITION

City Definition

R.I.S.E. is applying for a Special Use Permit based upon the City of El Dorado's definition of **Transitional Housing** as established in **Article 3 – Rules and Definitions of the El Dorado Zoning Regulations**, which defines Transitional Housing as:

"A facility, occupied by not more than 30 residents, with staff members as needed, which provides transitional housing for the purpose of facilitating the movement of homeless individuals and families to permanent housing, and which may also include providing ancillary services such as employment counseling, vocational training, dining and food preparation, and individual or group behavioral health interventions."

Consistency with City Definition

The proposed operation at 229 N. Washington Street is intended to comply with the City's adopted definition and all applicable Special Use Permit requirements.

R.I.S.E. provides temporary shelter and supportive services designed to assist individuals and families experiencing homelessness or housing instability while working toward stable housing and self-sufficiency. Services may include:

- Housing stabilization assistance
- Case management
- Employment assistance
- Resource referrals
- Meal preparation and service
- Community partner coordination
- Behavioral health referrals
- Housing navigation and placement assistance

These services are consistent with the supportive and transitional functions identified within the City's definition of Transitional Housing.

R.I.S.E. respectfully relies upon the City's adopted definition and regulatory framework in submitting this application and intends to operate in accordance with all applicable zoning, building, fire, health, and safety requirements.

APPLICANT INFORMATION

Organization

R.I.S.E. – Refuge In The Storm El Dorado

501(c)(3) Nonprofit Organization

MISSION AND VISION

Mission Statement

Provide refuge for those in need.

Vision Statement

A Butler County where every individual and family has access to safe shelter, supportive resources, and a pathway to stable housing.

LEADERSHIP

Board President

Drew Wilson
Phone: 316-371-9500

Shelter Director

Hollie Jimenez
Phone: 316-807-2404

COMMUNITY NEED

Homelessness and housing instability affect individuals and families throughout Butler County.

Many individuals seeking assistance face:

- Affordable housing shortages
- Employment barriers
- Transportation challenges
- Financial hardship
- Family crises
- Behavioral health challenges

R.I.S.E. exists to provide immediate refuge during times of crisis while helping individuals and families work toward long-term housing stability and self-sufficiency.

PROPERTY DESCRIPTION

Property Address

229 N. Washington Street
El Dorado, Kansas 67042

The property includes:

- Existing two-story residential structure
- Detached garage
- Off-street parking
- Alley access
- Existing residential character

The location is centrally situated within the community and accessible to local services and resources.

The submitted site plan identifies the residence, garage, parking area, alley access, site dimensions, and surrounding zoning classifications. **See Appendix A**

SITE UTILIZATION PLAN

Main Floor Operations

The main floor will be utilized for:

- Seasonal emergency shelter services
- Resource center activities
- Community referrals
- Housing stabilization services
- Case management
- Meal preparation and service
- Common gathering areas
- Restroom facilities

Shelter Sleeping Areas

The property includes:

Male Sleeping Area

A designated sleeping area for male guests.

Female Sleeping Area

A designated sleeping area for female guests.

Each sleeping area has access to separate restroom facilities.

Family Accommodation Area

When appropriate, a separate living area may be designated for adults accompanied by children to provide additional privacy and safety.

Upper Floor Operations

The upper floor will be used exclusively for:

- Administrative offices
- Program administration
- Case management offices
- Client meetings
- Recordkeeping
- Storage
- Resident caretaker quarters

The upper floor will not be utilized as an overnight shelter space for homeless guests.

RESIDENT CARETAKER PROGRAM

To ensure continuous oversight and stewardship of the property, R.I.S.E. maintains an on-site resident caretaker program.

Occupancy Limit

Upper floor occupancy shall be limited to:

No more than two (2) unrelated resident caretakers.

Resident caretakers:

- Are not shelter participants
- Are not emergency shelter guests
- Are not transitional housing residents
- Provide ongoing oversight of the property
- Assist with maintenance monitoring
- Report on repair needs
- Support property security through continuous occupancy

No homeless shelter guests shall be housed overnight on the upper floor.

OCCUPANCY PLAN

Maximum overnight shelter occupancy shall be:

As Permitted by Applicable Fire Code Requirements

R.I.S.E. shall comply with:

- Fire Code requirements
- Occupancy load calculations
- Building Code requirements
- Fire Marshal directives
- Life safety regulations

Should occupancy demand exceed the allowable capacity of the facility, R.I.S.E. may utilize local motel accommodations as has been done successfully in prior years.

RESIDENT ELIGIBILITY AND ADMISSION PROCESS

Eligibility

Individuals seeking shelter services must complete an intake process prior to admission.

Potential guests may be referred through:

- Local churches
- Community organizations
- Law enforcement
- Social service agencies
- Hospitals
- Family members
- Self-referral

Each applicant is evaluated to determine whether the facility can appropriately meet their immediate shelter and support needs.

Application and Intake Process

Prior to admission, guests participate in:

- Basic intake screening
- Identification verification when available
- Review of shelter policies
- Safety screening
- Needs assessment
- Resource and referral review

Applicants are informed of shelter expectations, behavioral standards, and available supportive services during the intake process.

Admission Priority

When demand exceeds available capacity, priority may be given based upon:

- Immediate health and safety concerns
- Severe weather exposure risk
- Families with children
- Vulnerable individuals
- Availability of alternative shelter options

Admission decisions are made in a manner consistent with applicable laws, safety considerations, and available resources.

Waiting List and Overflow Procedures

R.I.S.E. does not operate on a first-come, first-served public line system.

Individuals are encouraged to contact the organization, referral partners, or designated intake personnel prior to arrival whenever possible.

When shelter capacity has been reached:

- Applicants may be referred to partner agencies.
- Alternative temporary lodging options may be explored.
- Motel placements may be considered when funding and availability allow.
- Appropriate community resources may be provided.

Congregation and Waiting Areas

- R.I.S.E. is committed to maintaining an orderly operation that is compatible with the surrounding neighborhood. The organization will actively discourage loitering, congregation, and unnecessary waiting outside the facility.
- Individuals seeking services will not be permitted to arrive more than thirty (30) minutes prior to scheduled operating hours unless specifically authorized by staff due to weather conditions, safety concerns, or other emergency circumstances.
- Upon approval of the Special Use Permit, R.I.S.E. intends to replace the existing fencing with a privacy fence that encloses the rear yard. This improvement will provide a more secure and private outdoor area for guests who may arrive prior to intake or service hours, reducing visibility from surrounding properties and minimizing potential impacts on neighboring residences.
- Shelter admissions will be conducted through a managed intake process designed to prevent the formation of lines, prolonged waiting periods, or unsupervised gathering on the property.
- At no time is the facility intended to function as an unsupervised day-long gathering location, open-access drop-in center, or public queue for shelter admission.

Managed Access Model

The shelter operates through a managed admission process designed to maintain safety, accountability, and neighborhood compatibility.

As a result, the facility does not anticipate individuals forming lines outside the property while awaiting admission. Guests are admitted through scheduled intake procedures, referral processes, and monitored shelter operations.

HOURS OF OPERATION

Resource Center Operations

April 1 – October 31

Monday, Wednesday, Thursday

11:00 a.m. – 4:00 p.m.

Seasonal Emergency Shelter Operations

November 1 – March 31

Seven (7) days per week

Standard Hours:

6:00 p.m. – 10:00 p.m., Wednesday and Thursday 2:00 p.m. -10:00

The facility may open earlier when severe winter weather conditions present health or safety risks for unsheltered individuals.

Overnight shelter services may be provided during cold weather periods consistent with approved operations.

SAFETY AND SECURITY PLAN

All guests participate in intake and screening procedures.

Security measures include:

- Guest registration
- Identity verification
- Metal detector screening
- Contraband screening

- Secure medication procedures
- Security camera monitoring
- Incident documentation
- Staff and volunteer supervision

The following items are prohibited:

- Firearms
- Weapons
- Illegal drugs
- Drug paraphernalia
- Alcoholic beverages

Emergency services shall be contacted whenever conditions warrant.

STAFFING PLAN

Shelter Director

Responsible for:

- Program oversight
- Volunteer management
- Safety compliance
- Community relations
- Operational supervision

Volunteers

Assist with:

- Intake procedures
- Meals

- Monitoring
- Recordkeeping
- Guest support

Minimum Staffing

A minimum of two trained adults shall be present whenever guests are on-site

GUEST RESPONSIBILITIES

Guests are expected to:

- Follow shelter policies
 - Respect staff, volunteers, guests, and neighbors
 - Maintain cleanliness
 - Avoid disruptive conduct
 - Participate in assigned cleaning duties
 - Refrain from loitering
-

CORRECTIVE ACTION PROCESS

First Violation

Verbal Warning

Second Violation

Written Warning

Third Violation

Suspension or Loss of Shelter Privileges

Serious safety violations may result in immediate removal.

GOOD NEIGHBOR POLICY

R.I.S.E. is committed to maintaining compatibility with surrounding properties.

The organization will:

- Maintain clean premises
 - Monitor guest behavior
 - Prevent loitering
 - Promptly address concerns
 - Enforce operational policies
 - Cooperate with City officials
 - Cooperate with law enforcement
 - Utilize a managed intake process and enforce arrival-time policies to prevent loitering, congregation, and the formation of waiting lines outside the facility.
-

PARKING PLAN

On-Site Parking

- Two garage parking spaces
- Two driveway apron parking spaces

Additional Parking

Additional parking may be provided through:

- Public street parking
 - Coordination with First Church of the Nazarene
-

CASE MANAGEMENT AND HOUSING STABILIZATION

Services may include:

- Housing navigation
- Employment assistance
- Transportation coordination
- Identification replacement
- Financial literacy support
- Mental health referrals
- Recovery referrals
- Community resource coordination

Guests may participate in a Personal Success Plan (PSP) focused on long-term housing stability.

COMMUNITY PARTNERS

R.I.S.E. works collaboratively with:

- Local churches
- United Way
- Salvation Army
- Holly Sinclair
- Dustrol, Inc.
- Walmart
- Family Life Center Safehouse
- South Central Mental Health
- Resource Center for Independent Living
- Kansas Workforce
- Local businesses
- Nonprofit organizations
- Community volunteers

These partnerships provide employment opportunities, referrals, donations, mentoring, and supportive services.

PUBLIC BENEFITS

Approval of this Special Use Permit will:

- Provide refuge during dangerous weather conditions
 - Reduce unsheltered homelessness
 - Increase housing stability
 - Connect individuals with resources
 - Support self-sufficiency
 - Promote public health and safety
 - Strengthening community partnerships
-

COMMITMENT TO COMPLIANCE

R.I.S.E. agrees to:

- Comply with all Special Use Permit conditions
 - Comply with City ordinances
 - Comply with Fire Code requirements
 - Comply with Building Code requirements
 - Maintain written operational policies
 - Operate in a manner protective of public health, safety, welfare, and neighborhood character
-

SIGNATURE PAGE

Submitted By:

R.I.S.E. – Refuge In The Storm El Dorado

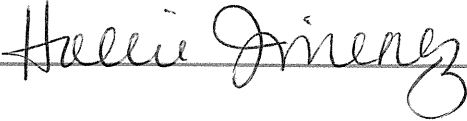
Board President



Drew Wilson

Date: 7-1-2026

Shelter Director



Hollie Jimenez

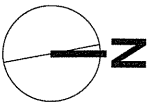
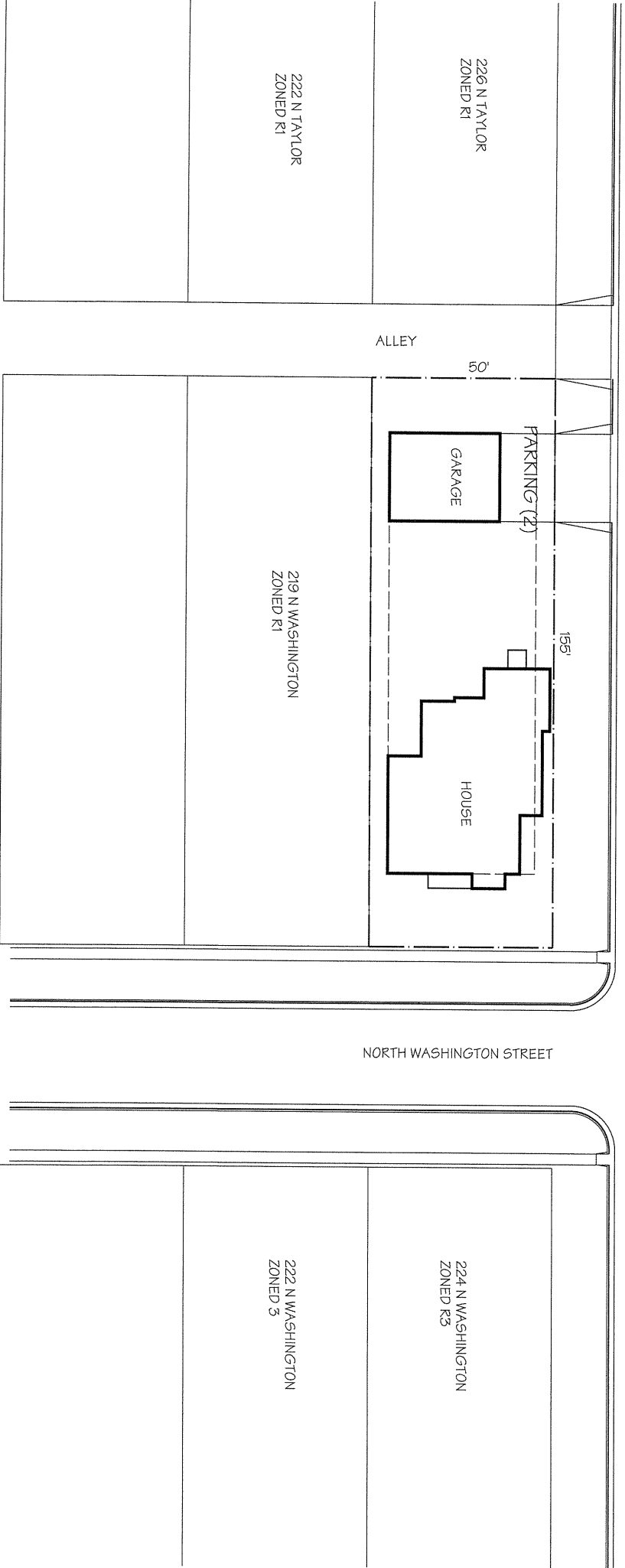
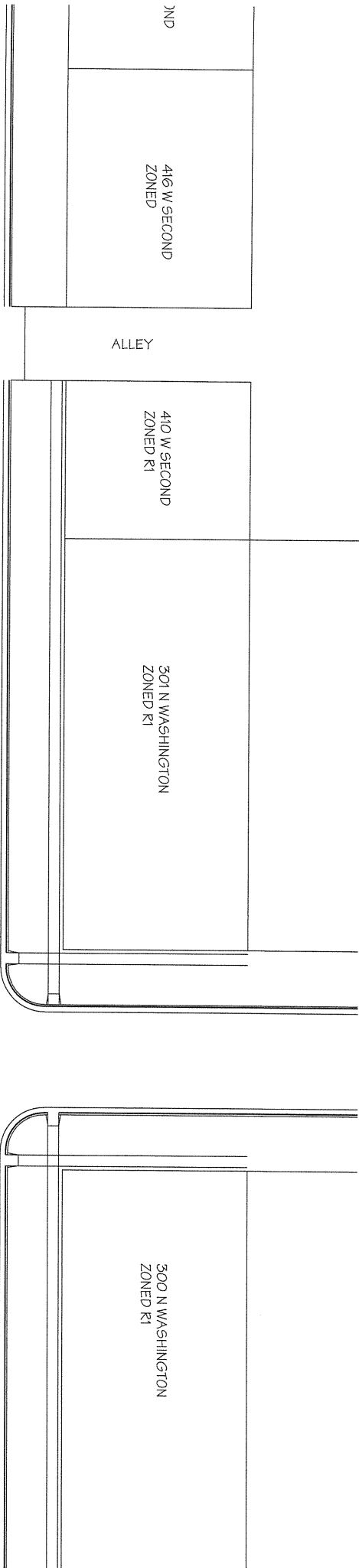
Date: 7-1-2026

APPENDIX A

SITE PLAN

The site plan depicts:

- Residence
- Detached garage
- Parking area
- Alley access
- Washington Street frontage
- Property dimensions
- Surrounding zoning classifications and nearby properties



SITE MAP

229 N. WASHINGTON

ZONED R-3

Tract Description: LOWER'S ADD TO EL, S02, T26, R05E, WASHINGTON ST LT 23



APPENDIX B

R.I.S.E. SHELTER POLICIES AND PROCEDURES MANUAL

The attached manual governs:

- Admissions procedures
- Intake processes
- Guest responsibilities
- Staffing requirements
- Confidentiality standards
- Corrective action procedures
- Safety and security protocols
- Emergency response procedures
- Seasonal shelter operations

The manual shall be updated to reference 229 N. Washington Street as the operating location upon approval of the Special Use Permit. The manual will also be updated to reflect any operational conditions or restrictions noted in the Special Use Permit.



SHELTER POLICIES & PROCEDURES MANUAL

MISSION: "Provide refuge to those in need"

VISION: "End homelessness in Butler County"

RISE-EL DORADO Shelter Policy and Procedure Manual sets forth the organizational structure, policies and procedures adopted by the First Church of the Nazarene and RISE-EL DORADO.

RISE Shelter philosophy is to promote dignity, respect and to provide safe and clean accommodations. The focus is on strength rather than need. Shelter staff and volunteers shall work effectively and non-judgmentally with people facing crisis.

The Equal Access RISE serves the homeless without regard to race, color, religion, national origin, sex, age, marital status, sexual orientation, disability, political affiliation, personal appearance, family responsibilities, matriculation, ethnicity, or gender identity.

These Policies and Procedures are designed to foster an environment of trust and respect. All services offered to the homeless are voluntary, and therefore, require enforcement of reasonable rules, which are expressed clearly and with enforcement that is transparent and proportional. RISE encourages regular participation and feedback from guests for continuous adaptation to ensure that the diverse strengths and needs of guests are reflected.

Revised April 2025

INDEX

1. **Hours** of Operation
2. Admissions Guidelines
3. Intake Process and Check-In
4. Guests Rules and Responsibilities
5. Shelter Agreement
6. Staff and Volunteer Duties and Responsibilities
7. Emergency Numbers

1. Hours of Operation

Day Shelter – M,W,Thurs, 11 am until 4 pm, April 1-Oct 31

Nov 1-March 31st 7 days a week 6pm-10pm, Wednesday and Thursday open at 2 p.m. for casework to coincide with normal business hours.

2. Admission Guidelines

People under the age of 18 will be allowed in the shelter only if accompanied by a legal custodian or with clearance from law enforcement.

- Anyone who appears to be under the influence of alcohol will be subjected to a staff administered breathalyzer test. Anyone under the influence of alcohol or drugs will not be admitted.
- Anyone who has a history of severe criminal acts or violent offense(s) within the prior 5 years will not be admitted.
- Registered sex offenders are not admitted.
- Guests must be able to live independently and adhere to Shelter rules.
- Those with obvious, or a history of, physical or mental health needs, beyond the scope of Shelter services, will not be admitted and will be referred.
- Weapons, alcohol and illegal drugs are prohibited.

When someone under the age of 18 states he/she is an emancipated child, there should be court documents to verify this fact. If the person cannot provide them at check-in, RISE will not turn the person out. The person will be housed for the night. However, in order for that person to stay another night, he/she will be expected to acquire documentation from the courthouse to confirm their status.

Revised 2025 HJ

3. Intake Process and Check-In

* Police will be called whenever anyone under 18 who is unaccompanied by an adult or legal guardian requests shelter. Volunteers will provide law enforcement personnel with the child's name and date of birth. Exception would be an emancipated child with documentation. See admission guidelines for details.

EI Dorado Police Direct Dispatch Number: 316-321-9120

- Check-in of guests is from 11-4, during summer hours. Winter hours are from 6-10pm. No guests will be allowed to enter the Shelter after 4 pm during summer hours, or after 10pm during winter hours, unless they have made previous arrangements with the Shelter Manager concerning their work schedule; they have a written release from the hospital; or are brought to the Shelter by law enforcement.
- Personal data and information will be gathered from each guest upon entry.
 - First and Last Name
 - Date of Birth
 - Medications required to be taken while at the Shelter
- Volunteers will verify that entering guests are not on the suspended or banned list.
- **Service Dogs are allowed in the Shelter. Only two (2) questions can be asked of the owner.
 1. Is the dog a service animal required because of a disability?
 2. What work or task has the dog been trained to perform?
- Any medication, whether prescription or over the counter, required by a guest during their stay at the Shelter, is recorded in the Medication Log by staff. The medication is then placed in a sealed labeled bag and locked in a designated medication cabinet until the guest needs to take the medication as prescribed.
- Each guest is searched for drugs and weapons and scanned with a metal detector by the volunteer on duty.
- Each guest is assigned a locker to store personal items for the duration of stay. Items that can be kept in the locker are:
 - Tobacco products and lighters.
 - Personal items such as clothing, paperwork, backpacks.
 - Medications not needed while staying at the Shelter.

Weapons, alcoholic beverages, illegal drugs and paraphernalia are not allowed on the church property or in the Shelter.

**Service dogs are dogs that have been individually trained to perform a specific task for individuals who have disabilities. Service dogs are protected under federal law. Therapy dogs are not the same classification as service dogs and are not allowed in the Shelter.

4. Guests Rules and Responsibilities

- Guests are allowed to enter the Shelter M,W,Thurs between 11-4pm during summer,
- Mon-Friday, 6-10pm during winter hours, except Wednesday and Thursday, which will open early at 2:00pm for casework to coincide with normal business hours. No one under the age of 18 is allowed in the Shelter unless accompanied by a legal custodial guardian or with clearance from law enforcement.
- Guests must supply personal data to staff upon entering. That includes:
 - First and Last Name
 - Date of Birth
 - Medications Required
- Any medication, whether over the counter or prescription, that is to be taken during your stay, will be given to staff at check-in. Staff will place medication in a labeled container and store in locked medication cabinet until dosage is needed.
- Food and drinks. No open item is admissible into the Shelter. Any food or drink item coming into the Shelter must still have the manufacturer's seal intact. Fountain drinks, blizzards, etc. cannot be brought into the Shelter.
- All guests will be subjected to screening with a metal detector.
- All guests will be required to empty all pockets and be searched for weapons, alcohol, drugs and drug paraphernalia. None of these items are allowed on the property.
- Guests are assigned a locker to store personal items in for the duration of stay. All personal items must be stored inside the locker. No backpacks are allowed outside of the intake area in the building. Backpacks must be stored inside the locker.
- Guests are allowed to keep small personal items, hygiene products and small electronic devices with their person in the Shelter. Electronic devices must be silent.
- Sexual activity and public displays of affection are not allowed within the Shelter.
- Each guest is required to perform a cleaning duty or a 'giveback'. Duties are assigned randomly by volunteers.
- Clothing is to only be changed in bathrooms.
- Pets are not allowed in the Shelter.
- Service Dogs are not pets and are allowed in the Shelter with the owner after being confirmed by staff to be a service dog.
- Therapy animals are not Service Dogs and are not allowed in the Shelter.
- All personal property is to be removed from the assigned locker when exiting the Shelter.
- Any personal items left at the Shelter or on the property will be disposed of.

Additional Rules - Violations may result in Corrective Action Plan

Loitering is not permitted on the property at any time.

Cell phones will be allowed to remain on if they are set on silent or earbuds are used and if lights and sound from the device do not disturb others

Smoking is not permitted on the property by either RISE or the First Church of the Nazarene. The designated smoking area before entering and after leaving is across the street from the Shelter on First Street. Please be respectful of the area and take all cigarette butts, trash and personal items with you.

Disruptive and Destructive Behavior. Will not be tolerated. Law enforcement will be called.

5. Shelter Agreement

- RISE can provide a motel room for homeless guests on an emergency basis. Guests must be approved by the Shelter Manager to qualify for a room and must comply with all conditions listed below.
- RISE reserves the right to refuse a room to anyone, especially for possession of weapons, alcohol, drugs or dangerous, disruptive behavior. No sex offender or recent violent offender will be housed.
- Motel accommodations may be revoked by RISE at any time.
- Provisions of motel rooms depend on available funding.

Conditions

1. Each guest must check in at the Shelter at 202 North Taylor (First Church of the Nazarene), between 11-4pm during summer hrs, 6-10pm in winter hours.
2. Missed daily check-ins will result in restarting the 3-day waiting period, unless approved by Shelter Manager.
3. Missed motel check-in will result in no longer being eligible from motel approval.
4. A Personal Success Plan (PSP) will be developed by each guest in consultation with the Shelter Manager and/or Assistant Shelter Manager. The PSP will include goals for the guest such as drafting a resume, applying for jobs, obtaining mental health services, attending AA or NA meetings, or working to obtain replacement identification materials.
5. Continuing to receive a motel room is contingent upon the guest's efforts toward the goals specified in the PSP.
6. Upon completing the PSP, whether successful or not, guests will not be eligible to re-enter the motel voucher program for at least one calendar year.
7. No one other than the approved guest is allowed inside the motel room.
8. No weapons, alcohol, drugs or dangerous, disruptive or threatening behavior will be tolerated and will result in immediate removal from the motel room, by law enforcement, if necessary.
9. Loud noise, arguments or fighting in the motel room or parking lot will lead to immediate removal.
10. No smoking is permitted in the motel room.
11. Any damage to the motel room or furnishing (i.e., holes in the walls, graffiti, plugging the toilet, breaking furniture) will result in immediate removal.
12. RISE staff and the motel manager reserve the right to make surprise check-in visits. The motel manager will access the room daily for cleaning and re-supplying.
13. All guests must always be respectful and courteous to the motel manager and RISE staff at all times and in all situations.
14. No pets are allowed in the motel room.

These conditions may be altered at any time by RISE Staff or Board of Directors. The guests will be informed in writing of any changes to the above conditions and requirements.

6. Staff and Volunteers' Duties and Responsibilities

Confidentiality and privacy are the top priorities. As we handle private information of our guests, volunteers and staff must be extremely careful not to violate guests' confidentiality. To accomplish this:

1. Volunteers and Staff will never confirm or deny any knowledge of guest presence at RISE Shelter to any requestor of information outside of the Shelter.
2. Staff and Volunteers shall discuss matters regarding guests, in private, so as not to be heard by other guests.
3. If a uniformed law enforcement officer (badge & I.D.) requests information regarding a guest, staff will provide the requested information.

Volunteers - RISE is fortunate to be staffed predominantly by volunteers. Volunteers are mandatory reporters (as are all staff). Any indication of adult or child abuse must be reported immediately and recorded on an incident report form. ***Kansas Protection Report Center: 1-800-922-5330.***

At least two (2) trained people, either one staff member and volunteer, two staff members or two volunteers, one of whom has been trained by an approved Shelter trainer, shall be on the Shelter premises whenever guests are in the Shelter. Tasks are:

- Check-in Guests. See Admissions Guidelines for instructions.
- Process guests through Intake Process and Check-In.
- Serve meals.
- Distribute 'Giveback' to guests and inspect the completion of each task.
- Record all activities in incident book.
- Monitor security cameras both inside and outside facility.
- Keep laundry going.
- Prepare to-go meals for guests to take with them.
- Check out guests by unlocking lockers and making sure all personal items are removed.
- Turn out lights and check bathrooms for running water.
- Lock up when leaving Shelter.
- Take out trash.

Volunteers may need to provide guests with medications locked in cabinet at check-in. Volunteers must supervise the guest taking the medication and report in incident book.

If law enforcement is called at any time, a RISE staff member should be contacted immediately. 911 should always be called if a guest is injured or exhibits impaired consciousness, mobility or extreme change in behavior.

Shelter Manager

- Make management decisions including closure of Shelter.
- Collect and compiles data.
- Recruits and trains volunteers.
- Supervises Shelter, volunteer and assistant shelter manager.
- Guest intakes.
- Oversee operation of Shelter, meals and volunteers during shift.
- Resolves conflicts.
- Must be trained by an approved Shelter Trainer.
- Contacts Shelter staff or designee as needed.
- Make sure guests are following rules and getting help where needed.
- Directs Corrective Action Plan.

Shelter Assistant Manager

- Assists in management decisions over the Shelter.
- Supervises Shelter volunteers and intake coordination.
- Contacts Shelter staff as needed.
- Make sure guests are following rules and getting help where needed.
- Recruits and trains volunteers.

Corrective Action Plan: (3) Three strikes for any violations of Shelter rules and/or policy.

Step 1: Staff will address the issue verbally and document the situation on the Incident Report for management to review.

Step 2: Written warning to the offender.

Step 3: Any violation that is a safety concern can result in immediate loss of Shelter privileges. Upon 3rd violation, offenders may be suspended from Shelter privileges and or services. When an offender's behavior warrants calling law enforcement, the guest is NOT ALLOWED TO RE-ENTER unless approved by Shelter Manager.

7. Emergency Numbers

Shelter Manager – Hollie	316-323-0151
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Assistant Shelter Manager – Sue	316-621-0370
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El Dorado Police Direct Dispatch	316-321-9120
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Kansas Protection Report Center	800-922-5330
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Wi-Fi Password is for Volunteers. Do not share with Guests.

Revision: April 2025

July 20, 2026

RE: Case No: 26-04-REZ and 26-04-SUP

Dear Mr. Rickard and Planning Commission Members,

I am writing to respectfully request that you deny the application to rezone **229 North Washington** from **R-2 to R-3** and deny the requested **Special Use Permit** for transitional housing.

I have a vested interest in the properties at **217 and 219 North Washington**, which are immediately adjacent to the South of the subject property. We will be directly affected by this decision. My concerns are not with the individuals who may benefit from transitional housing, but with responsible land-use planning, protecting established neighborhoods, and ensuring that the City's zoning regulations are applied fairly.

The **City of El Dorado Comprehensive Plan** recognizes that zoning decisions should implement the City's long-range vision and protect the health, safety, and welfare of the community. Likewise, Kansas courts have long held that rezoning decisions should be evaluated using the **Golden factors**, which provide an objective framework for determining whether a zoning change is reasonable and in the public interest.

Several of those factors weigh against approval of this application.

Character of the Neighborhood

The surrounding area has historically developed as a low-density residential neighborhood. Rezoning this property to R-3 would introduce a more intensive residential district into an established neighborhood. This proposal also follows the recent approval of another large-scale multifamily development less than one block away, making it important to consider the cumulative effect on the character and stability of the neighborhood rather than evaluating each project in isolation.

Zoning and Uses of Nearby Property

Most surrounding properties remain residential in character. The proposed R-3 zoning would permit a substantially broader range of residential uses. Because rezoning is permanent, future property owners could develop the property in ways far more intensive than the current application, fundamentally changing the neighborhood over time.

Suitability of the Property Under Existing Zoning

The property has functioned briefly under its current R-2 zoning and remains suitable for residential use. There has been no showing that the property cannot reasonably be used as currently zoned or that a permanent increase in zoning intensity is necessary to make reasonable use of the property.

Effect on Nearby Property Owners

As adjoining property owners, we will experience the direct impacts of this decision. Increased residential density can affect parking, traffic, noise, privacy, and neighborhood compatibility. In addition, another multifamily project has already been approved within one block. To my knowledge, no site plan has yet been submitted showing the number of units, residents, vehicles, or parking spaces associated with that development. Without understanding those impacts, it is impossible to evaluate the cumulative effect of approving another higher-density project in the same area.

The Comprehensive Plan encourages higher-density residential development only where adequate infrastructure exists and where it can safely accommodate the additional intensity of use. Without complete site plans and information for nearby approved projects, I do not believe the Commission has sufficient information to make those findings.

Length of Time the Property Has Remained Zoned

The property was recently zoned R-2 and to my knowledge, was only occupied by Rise. The property was never occupied as a multi-tenant property and there has been no evidence presented that conditions within the neighborhood have changed so substantially that a permanent rezoning is warranted.

Public Benefit Compared to the Hardship on the Applicant

I recognize the importance of providing housing and services to individuals in need, and I support those efforts when they are located in appropriate areas and developed in accordance with adopted planning policies. However, the potential public benefit of this proposal must be balanced against the permanent impacts both physical and financial imposed upon neighboring property owners and the precedent established by changing the zoning classification.

Consistency with the Comprehensive Plan

The Comprehensive Plan serves as the City's guide for future development. It emphasizes orderly growth, compatibility between land uses, protection of established neighborhoods, and thoughtful planning based on adequate infrastructure. Approving a permanent R-3 rezoning without sufficient information regarding cumulative impacts would be inconsistent with these planning principles.

Compliance with City Regulations

I am also concerned about the applicant's history of compliance with City regulations. My understanding is that the proposed owner and user previously operated at this location without the required zoning approval, resulting in the City issuing a cease-and-desist order. A Special Use Permit and the increase to R-3 Zoning depends upon the operator and owner complying with conditions established by the City. Given that history, it is reasonable to ask what assurances exist that future permit conditions will be followed and effectively enforced.

I have attached a list of concerns for consideration, for these reasons I respectfully request that the Planning Commission deny the requested rezoning and Special Use Permit. At a minimum, I ask that the application be postponed until the City has sufficient information to evaluate the cumulative impacts of recent R-3 approvals, in the area and the impact of the vacant lot zoned R-3 directly to the East and its future possible impact on the neighborhood to determine consistency with the Comprehensive Plan, and make findings addressing each of the Golden factors based on a complete factual record.

Thank you for your time, and your thoughtful consideration of this matter.

Respectfully,

Lynette Harrison

A handwritten signature in cursive script, appearing to read "L Harrison".

217 & 219 North Washington
El Dorado, Kansas

- **Addendum**
- **Case No: 26-04-REZ and 26-04-SUP**
-
- **Increased use of off-street parking areas**
 - The proposed use may significantly increase demand for off-street parking, including vehicles belonging to residents, visitors, staff, service providers, and other related activities.
 - When the property was rezoned to R-2 in September 2025 the owner also applied for a parking variance stating there were only two parking sites on the property in front of the garage. Are two off street parking spots adequate for R-3 Zoning? T
 - Increased parking demand could affect neighboring properties, reduce available street parking, create additional traffic congestion, and change the residential character of the area.
 - The city should evaluate whether existing parking capacity is sufficient for the proposed number of occupants and anticipated daily activity.
 - Parking impacts are especially important because the property is adjacent to existing residences and any overflow demand could directly affect neighboring homeowners.

Outdoor waiting areas and congregating in adjacent areas

- During previous operations at the church location, outdoor waiting and congregating in the alley and along the side street have created concerns for neighboring residents.
- The proposed use may continue to generate outdoor gatherings, increased foot traffic, noise, and activity in areas immediately adjacent to residential properties.
- The city should consider whether the proposed use will create recurring impacts on neighboring properties, including privacy concerns, noise, pedestrian safety, and access through shared areas such as alleys.
- **Overnight and evening activity impacts**
 - The proposed use may create increased activity during evening and overnight hours that is not typical of the surrounding residential neighborhood.
 - Late-night arrivals, departures, visitors, staff activity, deliveries, outdoor conversations, and vehicle movement could affect neighbouring residents' ability to enjoy the quiet use of their homes.
 - The city should consider whether the hours of operation, staffing schedule, and resident activity levels are compatible with the surrounding residential area.
- **Increased number of transitional residents using the property**
 - The proposed use will significantly increase the number of individuals regularly occupying and using the property.
 - The applicant has not provided sufficient information regarding the maximum number of residents, turnover rate, length of stay, or how many individuals may be served at one time.

- A higher number of occupants could increase demand for parking, outdoor space, traffic, and neighborhood resources.
- The city should evaluate the cumulative impact of additional residents in combination with other nearby approved or proposed higher-density uses.
- **Signage and visibility of the proposed use**
 - The installation of signage identifying or promoting the transitional housing use could increase attention, activity, and visibility of the property in a way that may not be consistent with the surrounding residential neighbourhood.
 - Signage should be carefully reviewed to ensure it complies with the character and scale of the existing area and does not create unnecessary impacts on nearby homeowners.
 - The impact of signage should be evaluated as part of the overall compatibility of the proposed use with adjacent residential properties.

Uncertainty regarding length of stay and occupancy limits

- The city should not approve a special use permit without a clear understanding of how the property will be used, including the maximum allowable occupancy and the expected length of stay for residents.
- Transitional housing can vary significantly depending on whether residents remain for days, months, or longer periods, and the length of stay can directly affect traffic, parking demand, outdoor activity, and neighborhood impacts.
- The applicant should provide a defined operational plan identifying:
 - Maximum number of residents allowed at one time
 - Length-of-stay expectations and limitations
 - Resident turnover rates
 - Staffing and supervision levels
 - Rules governing resident activity and use of the property
- Approving a special use permit without established occupancy limits leaves neighboring property owners and the city unable to accurately evaluate the potential impact of the use.

Clarification regarding existing transitional housing in the R-3 district

- Under Article 6, Section 24 of the City of El Dorado Zoning Regulations, transitional housing is limited to **one transitional home in each zoning district. Is this one in an R-3 in the whole city limits?**
- Is the women's shelter located at **115 S. Washington** currently zoned R-3 and considered a transitional housing facility under the city's definition?
- If the women's shelter is considered transitional housing and is located within an R-3 district, has the maximum allowance of one transitional home in an R-3 zoning district already been met?
- If so, how can an additional transitional housing special use permit be considered within the same zoning district without conflicting with Article 6, Section 24?

- Has the city made a formal determination that the proposed use is different from, or does not count toward, the existing transitional housing limitation?
- **Impact of seasonal shelter operations on occupancy limits**
 - Does the operation of a seasonal shelter allow the property to house additional individuals beyond the maximum occupancy limits established for transitional housing?
 - Can seasonal operations be used to increase the number of persons served beyond the occupancy approved under the special use permit?
 - How will the city ensure that the total number of individuals using the property remains within the limits established by zoning regulations and the approved management plan?

Pre-operational congregation and waiting outside the property

- As previously noted, the practice of allowing individuals to arrive **30 minutes prior to operating hours** has resulted in outdoor waiting and congregation before the facility opens.
- This early arrival period creates activity in the alley and along the side street, including gathering, pedestrian traffic, and vehicle activity before scheduled operations begin.
- The impact of this pre-opening congregation should be considered part of the overall use of the property, as it affects neighboring residents even when the facility is technically not yet operating.
- The applicant should provide a plan explaining how early arrivals will be managed, where individuals will wait, and how outdoor congregation, noise, and impacts on adjacent properties will be minimized.
- Any special use permit should address arrival times, outdoor waiting areas, supervision, and responsibility for preventing disturbances outside the approved operating hours.

Clarification of available parking spaces and parking calculations

- The available on-site parking capacity needs to be clearly verified before approval of Rezoning and the special use permit.
- As stated in the September 2025 R-2 Rezoning, there are **two driveway parking spaces**, while the submitted site drawing identifies **two additional apron parking spaces**.
 - When the property was rezoned to R-2 in September 2025 the owner also applied for a parking variance stating there were only two parking sites on the property in front of the garage. Are two off street parking spots adequate for R-3 Zoning? The current parking is visible on the attached Butler County GSI Map. Are the two additional apron parking spots referenced the alley and the space on the adjacent lot to the West?

- It is unclear whether the apron parking spaces shown on the site plan are located entirely on the applicant's property or whether one or more spaces are being counted on the property to the West.
- The applicant should provide a clearly dimensioned parking plan identifying:
 - The exact location of all parking spaces
 - Property boundaries and ownership lines
 - Whether apron parking areas are located on private property or public right-of-way
 - How many spaces are legally available for use by the property owner.
- Parking calculations should be based only on legally available spaces controlled by the property owner and should not include parking areas belonging to adjacent properties.
- Any shortage of on-site parking could result in increased parking demand on surrounding residential streets and affect neighboring property owners.

Fencing and signage requirements

- If the special use permit is approved, conditions should be included requiring the installation of a **rear-yard privacy fence** to provide screening and help protect the privacy and residential character of adjacent properties.
- The wording of the conditions should be changed from a recommendation or option to a **requirement** to ensure compliance.
- Street-facing signage should not be permitted, as it may draw additional attention and activity to the property and may not be compatible with the surrounding residential neighborhood.
- The city should ensure that fencing and signage conditions are established before operation begins, rather than relying on voluntary compliance after approval.
- **Requirement for building plans, site plans, and occupancy review prior to City Council consideration**
 - Will complete building plans and a detailed site plan be submitted and reviewed before this request is presented to the City Council?
 - The neighborhood and decision-makers need to understand the full scope of the proposed use, including any building modifications, site changes, parking impacts, outdoor areas, and safety considerations.
 - The approved plans should clearly identify the maximum occupancy allowed by the Fire Marshal, including any limitations based on building capacity, life-safety requirements, and applicable codes.
 - The special use permit should not be approved without knowing the maximum number of individuals the property is designed and permitted to accommodate.
 - The city should ensure that zoning approval, fire safety review, and building code compliance are coordinated before final approval.
 - Without finalized plans and occupancy limits, the City Council and surrounding property owners cannot accurately evaluate the potential impact on the neighborhood.

Verification of side-yard setback requirements prior to rezoning approval

- A survey of **219 N. Washington** has been ordered from Goedecke but has not been completed as of the date of this letter.
- The properties involved are located extremely close to one another, the attached Butler County GIS Map shows the property line sitting on the South wall of the residence at 229 N Washington, I understand this maps are informational but exact property lines and setbacks need to be verified before any zoning change or special use permit is approved.
- Has the city confirmed that the existing structure and proposed use comply with the required **side-yard setback requirements** for the requested zoning designation?
- A final determination should not be made until an accurate survey, site plan, and setback measurements have been reviewed to confirm compliance with zoning regulations.
- Approving a zoning change before verifying setbacks could create future conflicts regarding building placement, privacy, maintenance, and impacts on adjacent property owners.

Impact of adjacent vacant R-3 property and potential future development

- The property to the East, 224 N Washington, has been identified as R-3 zoning; however, it is important to note that this property is currently a vacant lot and is not presently generating the impacts associated with an active R-3 use, 222 N Washington, also zoned R-3 is a single family rental.
- Future development of this property could introduce additional multi-tenant or higher-density uses that may significantly affect the surrounding neighborhood.
- The city should consider the cumulative impact of the proposed rezoning and special use permit in relation to the existing R-3 zoning nearby, including the possibility of future development on the vacant lot.
- Without knowing the future use, density, occupancy, traffic, parking demand, and operational impacts that could occur on the adjacent R-3 property, approving additional higher-intensity uses may result in unforeseen impacts to neighboring residences.
- The city should evaluate not only the current conditions but also the potential long-term changes to the area when making zoning decisions.
- **Consideration of prior cease and desist order and future compliance**
 - Significant consideration should be given to the previous **cease and desist order** issued regarding operation of the property without the required approvals.
 - The city should evaluate whether the property owner and tenant have demonstrated a commitment and ability to operate lawfully and consistently within zoning regulations moving forward.
 - A history of operating outside of required zoning approvals raises concerns regarding future compliance with the conditions of any special use permit that may be granted.
 - The city should consider whether granting additional permissions is appropriate.

219 N Washington St, El Dc X Q

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