

EL DORADO

K A N S A S

PLANNING COMMISSION MINUTES - DRAFT January 27th, 2022 6:30p.m.

1. CALL TO ORDER & ROLL CALL

Chairman Stewart called the meeting to order at 6:30pm.

Members Present

Steve Fellers
Frank Hughes
Scott Leason
Brad Long
Tony Nichols
David Stewart
Gerald Watson

Staff Present

Jay Shivers

Others Present

Eddie Simmons

2. APPROVAL OF MINUTES

Commissioner Long moved to approve the minutes of the December 16th, 2021, meeting, seconded by Commissioner Leason. The motion passed (7-0).

3. NEW BUSINESS

ITEM NO. 1 – CASE NO. 22-01-REZ: PUBLIC HEARING FOR THE CONSIDERATION OF A REQUEST TO REZONE 800 W. 6th AVENUE FROM R-3 MULTIPLE FAMILY DWELLING DISTRICT TO C-1 GENERAL BUSINESS DISTRICT.

A. Presentation of Request

Jay Shivers reviewed the staff memo. Mr. Shivers said a home and accessory structure was on the property and has been demolished. He said the property is zoned R-3 and is surrounded by industrial, commercial, and other residential zoning. Mr. Shivers said the area is designated Neighborhood Mixed Use and reviewed the land uses allowed by the existing and proposed

zoning districts. He said possible impacts include noise, light, emissions, and said it may not add more than currently generated by the W. 6th Avenue corridor. Mr. Shivers said lights on the property will have to be shielded and boundaries abutting lower intensity zoning will be required to have a transitional buffer. Mr. Shivers concluded by saying R-3 and C-1 are both compatible zoning districts for the property.

Eddie Simmons, applicant, said he has a contract on the property and would love to put a building on the property. He wants the tree to stay and the building will face east. He said there will be a marine upholstery business and some storage. The front was going to be jewelry and clothing businesses but they changed their mind.

B. Public Hearing

Chairman Stewart opened the public hearing. There being no one to speak, the public hearing was closed.

Mr. Shivers said he was contacted by John Prather and Mike Korth, nearby property owners. Both asked questions but didn't share an opinion on the rezoning.

C. Discussion by Planning Commission

Commissioners Long and Fellers asked about lighting and the houses on the south side of 6th Avenue. Mr. Shivers said the regulations require lights to be shielded so they don't shine on residential properties.

Commissioner Leason asked about access to the property. Mr. Shivers said he spoke with Scott Rickard, City Engineer, about that and the answer is that it will depend on the use on the property, it could access to one or both of the abutting streets.

Commissioner Long asked about the building. Mr. Simmons said it will be 40 by 50 with security lighting.

Commissioner Fellers asked about the boat business. Mr. Simmons said they would have boats inside and some outside, the focus of the business is upholstery. The storefront will face south and the east side will have a large door for the boats.

Commissioner Fellers said he was comfortable with the applicant's plan but not with all of the uses allowed in C-1.

Mr. Shivers said he has had a number of phone calls from potential buyers want to use the property for commercial purposes.

Chairman Stewart asked to review a comprehensive list of uses allowed in C-1 zoning. Mr. Shivers reviewed each use allowed by-right and by Special Use Permit.

Seeing a visitor interested in speaking, Chairman Stewart reopened the public hearing.

A gentleman residing on Topeka said he didn't have any objections. Chairman Stewart asked if he received a notification. The gentleman said he did receive notification.

Commissioner Fellers said he likes the project but thinks long-term El Dorado is better served leaving it R-3.

Chairman Stewart closed the public hearing.

Commissioner Hughes asked about vehicle storage requirements. Mr. Shivers said they are more common in I-1. Commissioner Hughes said if boats stacked up on the property, it would need an SUP. Mr. Shivers said that is correct and the hope is it is like light auto repair with some cars dropped off and waiting for pickup but not long-term storage. Mr. Simmons said he would have rules to prevent long-term storage.

Commissioner Long said he is in favor of approval. He said there are a number of commercial businesses on the north side of 6th and they haven't heard any objections from the area.

Commissioner Fellers said he likes the project but not the C-1. He said the city does not have enough housing.

Commissioner Leason said there's a metal building nearby and industrial to the north. Mr. Shivers said the City has been marketing land north of the railroad tracks for industrial use. Commissioner Leason said he thinks commercial is a good fit.

Commissioner Hughes said with commercial nearby and 6th Avenue is a truck route, the corner is a good fit for commercial. He is in favor of it.

D. Motion

Commissioner Leason moved to recommend approval of Case No. 22-01-REZ, an application by Eddie Simmons, to rezone 800 W. 6th Avenue, from R-3 Multiple Family Dwelling District to C-1 General Business District, for reasons stated in the staff recommendation and heard at this public hearing, seconded by Commissioner Watson.

Roll Call Vote

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| Steve Fellers | N |
| Frank Hughes | Y |
| Scott Leason | Y |
| Brad Long | Y |
| Tony Nichols | Y |
| David Stewart | Y |
| Gerald Watson | Y |

The motion passed (6-1). Mr. Shivers said the application would go to the City Commission February 21st.

4. OLD BUSINESS

5. STAFF ITEMS

Mr. Shivers said the 300 SE 40th rezoning was approved by the City Commission. Mr. Shivers said there will be a February meeting with two rezoning applications and a plat.

6. ADJOURNMENT

The meeting was adjourned at 7:13pm.