

JANUARY 5, 2011 PLANNING COMMISSION MEETING MINUTES

The Eudora Planning Commission met in regular session on Wednesday evening, January 5, 2011 in the Eudora Municipal Building. All seven members were present: Chairman Kurt von Achen, Vice Chairman Patrick Jankowski, Ken Adkinson, Glenn Bartlett, Richard Campbell, Rose House and Grant Martin.

Also present were Codes Administrator Curt Baumann, Consultant Scott Michie of Lochner/BWR, Public Works Secretary Debbie Eaton, Reporter John Schulz and Phil Struble and another citizen who left after the sand pit discussion.

Chairman von Achen called the meeting to order at 7:30 pm, the pledge of allegiance was recited, and the minutes of the December 1, 2010 meeting were approved as circulated. City Administrator John Harrenstein was absent so there was no administrator's report.

The Building Inspector's report showed two permits issued for single family residences this month. One was for 627 East 15th to Custom Contractors, value \$169,500, and the other was to Luke Oehlert for 1236 Greenbrier Drive, value \$180,000. Total valuation of 14 permits issued in December was \$389,410. Codes Administrator Baumann reported the Lawrence Memorial clinic building is progressing smoothly.

No one in the audience spoke in the public comment section, but Administrator Baumann asked if the commission had made a decision about changing the time of meetings from 7:30 pm to 7:00 pm as he would need the information for the next agenda. Consensus was to wait on that decision until the new member is named to replace Dr. Jankowski who is moving outside the city limits. It had been determined that Jankowski will not be able to serve the remainder of his term when he moves.

Ken Adkinson commented that he had not received a copy of the city council minutes in his packet. It developed no one had received them, so Baumann said he would forward them immediately.

The chairman called for the first agenda item, a public hearing to consider zoning regulation amendments for Wind Energy Conversion Systems (WECS) and solar panels. He asked Michie for his comments.

Michie said this was a continuation of the study sessions the commission has had, and that the Kansas planning and zoning statutes require cities to plan for energy use and conservation. He said these amendments will be an addition to Section 11 of the Eudora Zoning Regulations, "Wireless Communications," and they provide WECS performance standards in section 1120 while section 1140 handles solar panel rules. He said they are pretty detailed standards,

specific about height, setbacks and noise. He said a half dozen or more cities have written standards, and he has received no comments from the public since the legal publication.

The chairman opened the public hearing and asked for comments from the public. No one spoke so he brought the topic back to the commission, where Ken Adkinson remarked that he will go along with the ordinance because he has no other standards to compare it to, but he still believes the setbacks should be more than 110% of the heights.

Rose House moved to recommend approval to the City Council of zoning regulations text amendments in Section 11, "Performance Standards," as presented: Subsections 16-1120 through 16-1130 for Wind Energy Conversion Systems and Subsections 16-1140 through 16-1142 for Solar Collectors. Grant Martin seconded the motion, there was no further discussion and the vote was unanimous in favor, 7-0.

The chairman then called for the second public hearing to consider subdivision regulations text amendments for Lot Split applications, Sketch Plats, Definitions and Related Matters. He asked for Michie's comments.

Michie said these amendments will distinguish between two types of lot splits:

1. A Lot Split of a platted lot, or
2. A Lot Split of a lot zoned for industrial purposes.

Michie said only unplatted land zoned for industrial purposes can be divided for sale or development by a lot split in Eudora. All other lot splits must be of platted lots.

Michie said a second part of this amendment will provide for lot split procedures to be administered by the Codes Administrator and staff based on subdivision requirements. This is a change and lot splits will not be required to come before the planning commission unless on appeal. They will not be a public hearing item, and it may save an applicant at least a month in obtaining a decision.

Michie said some terms are now defined differently, and there are some new definitions included. He also said a major change is allowing the sketch plat process if the administrator feels a need for a drawing, or the applicant may choose to submit a sketch. Lot line adjustments and consolidations will also be vested in the staff and administrator.

von Achen asked for comment from the audience but no one spoke so he brought the topic back to the commission. Ken Adkinson asked about the appeal process.

Michie said that normally when a decision of the building inspector is appealed it goes before the Board of Appeals, but this appeal will come directly before the Planning Commission because you are the ones who deal with plats.

Dr. Jankowski moved to recommend to the City Council the approval of Subdivision Regulation text amendments 17-201. ADMINISTRATION; 17-301. DEFINITIONS; 17-401. PRE-APPLICATION PLANS AND DATA through 17-404(a) Building and Occupancy Permits. Rose House seconded the motion, and the vote was unanimous in favor, 7-0.

There was no Old Business but under New Business Michie had information for the commission concerning the sand pit application for a sand dredging business in the flood plain, south of the Kansas River and west of County Road 1061, and northeast of the city's water wells. Michie had provided almost two full pages of detailed information on this application and he emphasized its importance to Eudora. He said the date of the joint public hearing with the Lawrence-Douglas County Planning Commission will probably be the fourth Wednesday in February, but the date is not firmly set. The meeting will be wherever their planning commission usually meets, and von Achen said that is usually in the chambers at the Lawrence City Hall.

Michie told the commission members they will receive a packet with the findings of himself and his staff, and the findings of the Douglas County planning staff before the meeting. He said that while the meeting is being hosted by the Lawrence-Douglas County Planning Commission, the Eudora commission will be asked to make a recommendation and to vote. von Achen said that usually Eudora votes first. Michie emphasized that this will be an important meeting and as many of the Eudora Planning Commission as possible should plan to attend.

Ken Adkinson said he cannot understand the need for a sand pit in that location when there is a large pile of sand dredged directly from the river some years ago at the north end of the Kansas River bridge, and no one ever appears to use any of it. Someone volunteered that the Penney Company owns that permit. "Sand is a natural resource," Adkinson said. "Why do they need two so close together?"

Also under New Business was a study item: To consider the Nottingham Site Plan and Design Guidelines Plan amendments to apply the guidelines to land in the public right-of-way controlled by the Kansas Department of Transportation east of Church Street.

Michie said the Planning Commission adopted the Nottingham Guidelines five months ago as did the school district. Now the district wants you to adopt an amendment, clarifying that these guidelines also apply to the KDOT property right-of-way on the east side of Church Street, since the original guidelines apply only on the west side. Michie pointed out that the ball diamonds on the west side are on KDOT property, and that a Park & Ride lot is proposed on the

south side of 15th Street and east of Church Street. He asked the commission to restudy the Nottingham Site Plan with an eye to applying the Nottingham Guidelines to the east side of Church Street.

von Achen commented that he thought KDOT had been ready to sell that property for a long time, and if sold for private use it should be specified that it is no longer KDOT right-of-way.

Michie also explained the meaning of the term, "complete street." He said it is not just a vague term. It means a multi-use street for not only motor vehicles but also for bicycles and walkers. He said his firm is working on transportation enhancement of County Road 1061, from north of 14th to the High School with the \$10,000 grant they received.

Michie said they are especially looking at making the bridge over K-10 pedestrian safe. He said KDOT has ruled out concrete safety curbs because they trap moisture and sand, but he said they are trying to figure a way to put pedestrian walks on the sides of the bridge. A lot has to be studied, crosswalks, ramps, etc. but he believes adding walks to the present bridge would be less expensive than a plan to build an entirely new pedestrian bridge further west.

Adkinson said he thinks the commission should devote more thought to bicycle traffic especially. He remarked on problems with bikes on sidewalks in Lawrence and asked if Eudora has an ordinance to keep them off sidewalks. He also asked about the track shown on the Nottingham Guidelines encircling the ball fields.

Michie explained that is just an artist's design, it is only secondarily a site plan. It is not a real development proposal, he said. Adkinson said people like walking around the present school track and it would be nice if something like it could be arranged.

Richard Campbell said it would be up to the city to get the ground for it, since no developer would put in a walking track.

von Achen asked the commission to consider whether they do want to extend the Nottingham standards to the east side of Church, because if we don't extend them to it, it will probably develop ahead of Nottingham itself, and we want it to be an attractive entrance to Eudora, he said.

Grant Martin asked if anyone knew whether the site has been considered for a new fire station?

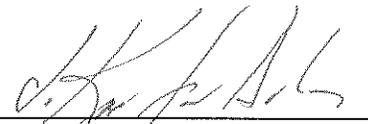
Ken Adkinson moved to set a public hearing on amending the Nottingham Guidelines and Conceptual Plan to include the present Kansas Department of Transportation land on the east side of Church Street. Glenn Bartlett seconded the motion and the vote was unanimous in favor, 7-0.

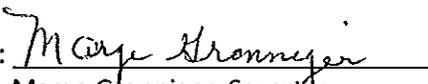
von Achen reiterated that he did not want it described as KDOT right-of-way.

von Achen then turned to Dr. Jankowski and told him he hated to say goodbye to him; that the planning commission had enjoyed having him as a member. We hate to see you go, he added.

Jankowski said he had enjoyed being a part of the commission, and perhaps in the future there would be an opening for him to serve again.

Rose House moved to adjourn, seconded by Ken Adkinson. The meeting adjourned at 8:17 pm.

Signed: 
Kurt von Achen, Chairman

Signed: 
Marge Gfonniger, Secretary