

JULY 6, 2011 PLANNING COMMISSION MEETING

The Eudora Planning Commission met in regular session on Wednesday evening, July 6, 2011 in the Eudora Municipal Building. At the start of the meeting six members were present: Chairman Kurt von Achen, Vice Chairman Richard Campbell, Ken Adkinson, Grant Martin, Erica Spaulding, and Johnny Stewart. Glenn Bartlett arrived at 7:25 pm.

Also present were City Administrator John Harrenstein, Codes Administrator Curt Baumann, Consultant Scott Michie of Lochner/BWR, Economic Director Colin Bielser, Reporter John Schultz, James Hoover Sr., James Hoover Jr., Jason Hoover, Steve Walter, Michael Johnson, and Cas Patykiewicz.

Chairman von Achen called the meeting to order at 7:00 pm, the pledge of allegiance was recited, and the minutes of the June 1, 2011 meeting were approved as circulated. The oath of office was then administered to Erica Spurling who had been appointed to replace Rose House.

The chairman asked Administrator Harrenstein for his report. Harrenstein said that the City Council had approved of "Music in the Park" and there have been two successful events to date. The Council refunded some Water & Sewer bonds and the contract was let for certain street and curb repairs, including 15th Street from Church Street east to the duplexes, and some work on streets in the Winchester Subdivision. They also lowered the speed limit from 30 mph to 20 mph from 7th street to 10th on Birch Street at the request of the Catholic Church, and the Council is considering their options for realigning the curves on 20th Street.

Johnny Stewart asked about gaps in the sidewalk along 15th Street where the street repairs will be? Harrenstein said some of that has already been resolved, and they hope to fill the last gap if they have the funds.

Harrenstein also reported that the asbestos has been removed from the old school building on Main Street and the building is to be demolished as soon as the CPA Picnic is over.

Ken Adkinson said he has not received copies of the minutes of the last joint meeting with the Lawrence-Douglas County Planning Commission, and Harrenstein said they have not yet been received by his office.

The Building Inspector's report showed 9 remodeling permits and 13 additions to single-family homes with a total permit valuation of \$78,345 and permit fees for the year to date of \$15,257.63. In addition, Administrator Baumann said he had just issued a permit for a single family home, and the chairman commented that that made three this year.

No one present made any public comments and there were no public hearings so Chairman von Achen moved to the first item of New Business on the agenda, consideration of a Site Plan submitted by Kaw Valley Bank for an ATM development at 14th and Church Street. He declared conflict of interest and left the table. He then introduced the site plan drawing, explained that the bank had platted this location for a new bank building in 2008 but two years have passed without action so that plan has expired. This site plan is for a drive-up ATM on Lot 2 of the block; the original bank building would have been on Lot 1. It will have access from Church Street and this building will go away when the new bank is built in three to five years. von Achen then left the building and Vice Chairman Campbell conducted the Site Plan discussion. He invited the applicants to speak and Jason Hoover came to the podium.

Hoover said that von Achen had covered most of the details, so he would take questions. Johnny Stewart immediately raised the question of whether a sidewalk would be provided so pedestrians would have access to the ATM? He said he was aware that in the recent questionnaire given to citizens of Eudora, the need for sidewalks by far topped the list of wants and needs.

Hoover said that a sidewalk would promote pedestrians to come to a drive-up, and that was just what they wanted to prevent since walking up to a drive-up would be hazardous. In 2015, he said, we hope to build the new building, so we would just throw away the \$25,000 the sidewalk would cost at this time.

Administrator Harrenstein also pointed out that the ditch along the west side of Church Street is Hoover's east property line and it is on the slope, so there is no space for a sidewalk on the right-of-way, and the walk would have to be on Hoover's property. He also mentioned that with the Nottingham Guidelines, Church Street is set to be improved to three lanes with curb and guttering, so a sidewalk now would probably have to be removed when the street is widened.

Vice Chairman Campbell argued that he sees a lot of foot traffic at many drive-up ATMs. He mentioned several locations, especially 11th and Vermont in Lawrence.

Hoover was asked about the lightning, and whether a city street light would be needed? He said the company installing the ATM sets the whole thing up and it includes lights in the canopy. He said there are street lights t 13th and 14th streets but they will run conduit so that if we find we need another street light it will be installed. Campbell asked how the city would enforce adding a street light and Hoover said "Just write us a letter and we will put one in".

Ken Adkinson remarked that they will have to be careful about adding too much light as it could disturb the neighbors. He also said he had a concern with the public driving in at all angles since they have been able to park on that ground for years for ball games and the like.

Hoover replied that they have not had much parking there since there are no more soft ball games or football in the vicinity and he thinks people will use the designated entry and exit.

The circle drive was discussed and Stewart asked if there will be any concrete barriers? Hoover said there will be a concrete pad in front of the ATM with a concrete post to protect it. Grant Martin asked if there is going to be room enough for a full-sized SUV? And what if one is pulling, a boat through? Hoover said they are certain they have enough room for any vehicle and they purposely didn't oversize the turn to keep speed down.

Campbell asked Consultant Michie for his comments. Michie said normally the regulations in Eudora do not allow temporary permits, but since the applicant had a previous approval for the location, this is considered Phase 1 of that development, so it did not have to meet all the Site Plan regulations of Section 16-129.

Here Administrator Harrenstein explained that originally staff had relied on the site surveyor's indication that there was only an 80foot right-of-way on Church Street in the block from 14th Street to 13th Street, but City staff research at the county register of deeds has established that there is 100 feet right-of-way on Church Street in that block. Therefore, no right-of-way dedication is required.

Campbell asked about a water line on the site and Michie said they are not making them move it at this time, but the bank is giving the city access if they need to work on it, and Hoover added that when the new bank is built, the water line will be moved to Locust Street at the bank's expense.

Campbell advised the commission they could approve the plan, approve it with conditions, or deny the plan.

Ken Adkinson moved to approve the site plan with conditions: 1. No curbing on the outside of the ATM drive to allow storm water to drain; 2. With landscaping to be required if after 60 months no bank is built on the lot; 3. With landscaping for screening and buffering of adjacent residential zoning if no bank is built within 60 months; 4. With lighting as provided with the installation but with on-site lighting to be added if found to be needed. Johnny Stewart seconded the motion and the vote was unanimous in favor, 6-0.

Chairman von Achen returned to the building and took his place at the table. He called for the second item of New Business, Consideration of conceptual Site Plan options for development of a parcel of land on the south side of 15th Street, east of Church Street. He asked consultant Michie to explain.

Michie said this request is unusual in that there is no actual Site Plan, but there are questions about the location of a new building and the applicants thought early input from the Planning Commission might help them solve some problems. There are two options for the location which has been undeveloped for a long time. The initial discussions began last October and there have been a number of twists and turns, Michie said.

Michie said this is land formerly owned by the Kansas Department of Transportation, and now owned by Troy Gregory, while Steve Walter owns the nearby Dairy Queen, which was damaged by fire some time ago.

The chairman invited the applicants to speak and all three came forward, with Steve Walter doing most of the talking. He said the idea is to place a Family Dollar store on the former KDOT property, but he is concerned that it may block his business from view. One option would be to place the 8,000 square foot building on the back of the lot, with parking in front and adjacent to the Dairy queen. The other option places the building next to 15th Street on the north end of the lot with parking behind it, and this is the plan that Walter is concerned about.

Walter said that when he built the Dairy Queen, it was believed that KDOT would hold that piece of land forever, so he was forced to squeeze his building into the space available. Now, years later, that land becomes available and he was in a predicament about whether or not to rebuild after his fire if the Dairy Queen would be hidden, but he did decide to rebuild.

Stewart told Walter he really doesn't have enough parking now, and Walter agreed that after a ball game or other happening he could use more space, and if the new store went in on the south end of the lot he would be able to utilize their parking as they would be closed when he was busiest. Stewart suggested that a curb cut directly across from the Kwik Shop on the corner of 15th and Church would save curb cuts and serve both Family dollar and the Dairy queen.

The chairman asked Johnson how Family Dollar would be stocked? Johnson said it would be after hours and here would be no dock or ramp, they would enter through a back door.

Michie mentioned that across the street the original carpet store (now a Pharmacy) and the Subway shop cooperated, even to sharing a dumpster, so that both could be close to the street. He reminded the applicants that this is the front door to Eudora and as such a visible site, all four sides of the building need to look good to match the Nottingham Guidelines.

Campbell said that with Option 2, with the building on the north, it would be a detriment to the Dairy Queen sight line. Stewart said he agreed with Campbell, but Adkinson said he disagrees and if it goes to the back of the lot it will have to have a designated fire lane, but he would like to see one big entrance for both, since the DQ entrance is very bad. Make it even bigger than the 25 feet marked, he said.

Walter agreed it would make his entrance better and it would greatly improve the flow of traffic.

With no more comment from the commission, the chairman remarked that Option 1, on the front of the lot, seemed to get the most votes and Walter agrees with Option 1, but with no actual site plan there was no actual vote.

The third item under New Business was consideration of setting a public hearing for the annual review of the comprehensive plan.

Adkinson immediately suggested that one thing to consider in the review was to better protect the agricultural land within Eudora's three mile radius, especially the valuable farm land where the sand pit was requested.

Michie said that could be considered. Adkinson said he thought that last year the commission listed four points to work on, and one was the revision of the sign ordinances and that had been done, but no one could remember the other three so the secretary was directed to research the 2010 minutes.

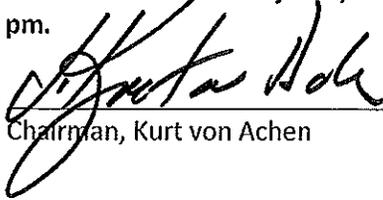
It was agreed to put the discussion on the August agenda, with perhaps the hearing to be in September.

At this point Chairman von Achen recognized Colin Bielser, and Administrator Harrenstein introduced him as the new Economic Development Director for Eudora. von Achen invited him to speak. Bielser said he enjoys attending Planning Commission meetings as he has a Master's Degree in planning from KU, and he is enjoying his work in Eudora.

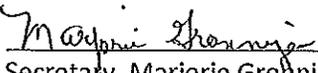
Harrenstein said Eudora is very fortunate to have his services, that Bielser had created the Douglas County Development Plan.

Ken Adkinson moved to adjourn, Glenn Bartlett seconded the motion, and the meeting adjourned at 8:15 pm.

Signed:


Chairman, Kurt von Achen

Signed:


Secretary, Marjorie Grouniger