

February 1, 2012 Planning Commission Meeting Minutes

The Eudora Planning Commission met in regular session on Wednesday evening, February 1, 2012 in the Eudora Municipal Building. Five members were present: Chairman Kurt von Achen, Glenn Bartlett, Erica Ganson, Grant Martin, and Johnny Stewart. Vice Chairman Richard Campbell and Ken Adkinson were absent.

Also present were City Administrator John Harrenstein, Codes Administrator Curt Baumann, Eudora Development Analyst Collin Bielser, Consultant Scott Michie of Scott A. Michie Planning Services, Reporter John Schulz, Aaron Gaspers of The Johnson Group L.L.C., and Mike Westerhouse.

Chairman von Achen called the meeting to order at 7:00 p.m. and noted a quorum was present. The pledge of allegiance was recited and the minutes of the January 4, 2012 meeting were approved as circulated.

Administrator Harrenstein was a few minutes late as he had attended the Douglas County Commission meeting in Lawrence, so there was no administrator's report. When Harrenstein arrived he told the commission that the application for a Conditional Use Permit brought by Kaw Valley Companies, Inc. asking for a sand pit dredging operation on 15th Street north west of Eudora had been withdrawn sometime today. It had been on the county commission agenda for tonight. Harrenstein said the city will wait to see if the application is refiled.

The Building Inspector's report before the commission showed one permit for a single-family residence issued to Cornerstone Construction at 1519 Redwood Court, valuation \$212,360, and permits for one addition, six remodeling, and two signs, for a total valuation of \$239,270.

There was no public comment so the chairman called for the first item under New Business: "Consider a preliminary site plan application by Johnson Group L.L.C. on behalf of Mike Westerhouse for a proposed commercial development on Lot 2 of the J.R. Miller Homestead subdivision." He asked Development Analyst Collin Bielser for his comments.

Bielser said staff has worked with Westerhouse and the Larkin group, consulting engineers, to conform as much as possible to the Kansas Highway 10 Overlay District, since the property lies between 20th Street and Highway 10. Bielser said the property meets the lot area, width and depth requirements for the C-Commercial zoning district, complies with the K-10 setbacks, and the building front will face K-10. Lighting details will be submitted with the final site plan.

The site includes 41 parking spaces and a bicycle rack, which meets the requirements for an office building, but since a part of the building has bay doors indicating it may have commercial use, the parking would then be inadequate. The preliminary site plan meets the landscaping requirements except that the land to the west is zoned residential, so there will need to be a buffer, perhaps a 3 foot hedge, along that side. There is no space for a landscaped island.

Bielser said staff has reservations about the 200 foot curb cut shown, and greatly prefers the standard two curb cuts of 30 feet each. Chairman von Achen remarked that if 200 feet is allowed here, then that could become the norm.

Bielser also said staff would prefer the trash container enclosure be moved from the east to the west edge of the drainage easement. However, the location of the trash bin became a major discussion point, with some favoring it be moved from 20th Street to the back of the lot, where it would be seen from Highway 10.

Grant Martin said he would like it moved to the north side to keep it out of sight of future development along 20th Street and he would like it enclosed to keep wind from blowing trash everywhere. Westerhouse said he would prefer leaving it near 20th Street to prevent wear and tear on the pavement from the heavy trash trucks. In the end, the trash enclosure was left as shown, with 6 foot walls but no swinging doors.

Aaron Gaspers with the Johnson Group came forward. He said he had only seen the Larkin Engineering report today, and has not had time to reply to it, but he distributed a revised copy of the site plan and said it already dealt with some of the questions raised. He did question the need for the three foot buffer planting on the west, as he said no doubt that property too, will be changed to commercial from residential. However, Chairman von Achen ruled that the commission must deal with the situation as it is now.

von Achen also raised a second point which required discussion; the need for a storm drainage plan, since 80% of the lot will be impervious to moisture, and the drainage will probably run east past the veterinary property and then under Highway 10, and hence through Eudora.

Gaspers countered, saying there is a detention pond in Whispering Meadows that was designed for everything upstream, so that should take care of the problem. He said they will study where the water should go. He said a geo-tech engineer will recommend whether to use asphalt or concrete paving.

von Achen asked if the center line of the ditch straddling the property line on the east is the property line? The answer was "Yes."

Bielser suggested larger windows facing the highway might be more attractive, but Erica Ganson said she thought the 11 or 12 shown in the north side were suitable.

Harrenstein asked Westerhouse if he prefers the building facing Highway 10 or facing 20th Street? Westerhouse said he is okay with it now. Harrenstein told the commission the idea behind the K-10 overlay was to plan in orderly fashion and we did adopt the K-10 regulations but if you would want this building to face south you ought to talk about it, because from 20th Street you will see the back of the building.

Ganson said she would like the K-10 traffic to see the front. Glenn Bartlett agreed with her, and von Achen jokingly suggested having two fronts. There was no further discussion.

Grant Martin moved to approve the preliminary site plan with four conditions:

1. Require additional landscaping features or the addition of street trees in place of the interior landscaped island
2. Require the final site plan to include a 3 foot hedge or similar landscape buffer along the west side of the property
3. Require two 2-way traffic drive approaches, each 30 feet in width with a 35 foot radius
4. Provide storm water calculations and a drainage plan

Erica Ganson seconded the motion and the vote was all ayes in favor, 5-0.

The Chairman then called for Item two under New Business: "Discuss zoning regulation text amendments creating a nonconforming parking lot classification." Bielser had written a definition of a nonconforming parking lot, with authority to continue so long as otherwise lawful, and providing that any parking lot may be repaired, and if enlarged by more than 33% must be paved with hard surface for all parking areas, and if enlarged by greater than 50% must add curb and gutter to serve all parking areas.

Item three under New Business was: "Discuss zoning regulation text amendments requiring Board of Zoning Appeal hearings to have a legal land survey of the property in question completed."

There was considerable discussion of this topic; whether every variance request would require a survey if they didn't deal with boundaries or measurements, but it was decided to require a survey, instead of allowing a staff decision.

Also, on the BZA topic, the concurring vote to reach a decision was changed from four to three of the five members. Martin and Stewart had both served on the Board of Zoning Appeals and both were in favor of the change.

Item one under Old Business was: "Discuss zoning regulation text amendments to require new paving and curb and gutter improvements in off-street parking lots, including enhanced site design and landscaping and lighting standards."

This provided under Section 16-501, Parking Requirements (d) that paving with hard surfaces is required for parking areas used for storage of equipment or inventory. Previously, hard surfaces were not required.

e) Off-street parking lots in (RM) multi-family housing, (RE) residential elderly housing, (C) Commercial, (DC) Downtown Commercial, and (I) Industrial shall be constructed with concrete curb and gutter.

Also under 16-501, nine guidelines were provided as a review of parking lots by the planning commission in all districts other than (I) Industrial. These are all new additions to the code.

Item two under Old Business was: "Discuss zoning regulation text amendments to create a business promotion /event sign classification and accompanying permitting process."

The original #4 under this classification was headed "Temporary Freestanding Signs and Fabric Message Displays and Attention Getting Devices for Special Events. This was deleted and replaced by a new paragraph headed "Business Promotion/Event Signs," which allows commercial businesses to promote special products or special events. Businesses are allowed up to 12 events a year and a particular promotion may not exceed 6 weeks. A sign permit is to be obtained from the city codes administrator and initiation is upon filing of the sign permit and terminates one year after the permit has been recorded. Events benefitting a nonprofit organization may now display offsite signs four weeks prior to the event with removal on completion of the event, twenty-eight days per event and four events a year for each organization.

These four zoning classifications, as well as a fifth, the maximum height of all accessory buildings is to be only one story, were all approved by consensus, with staff to set the date for a public hearing.

Glenn Bartlett moved to adjourn, seconded by Erica Ganson. The meeting adjourned at 8:07 p..

Signed: 
Chairman, Kurt von Achen

Signed: 
Marjorie Gronniger, secretary