

## June 6, 2013 Planning Commission Meeting Minutes

The Eudora Planning Commission met in regular session on Wednesday evening, June 6, 2013 in the Eudora Municipal Building. Five members were present: Chairman Kurt von Achen, Glenn Bartlett, Jason Hoover, Tim Pringle and Johnny Stewart. Vice Chairman Richard Campbell and Grant Martin were absent.

Also present were Interim City Manager Mike Press, Codes Administrator Curt Baumann, Consultant Scott Michie of Scott A. Michie Planning Services, City Management Intern Barack Matite, City Superintendent Mike Hutto, Parks and Recreation Director Gary Scott, Dean Grob of Grob Engineering Services LLC, Kendall C. Low of Piper-Wind Architects Inc., Doug Pickert of Indigo Designs Inc., Reporter John Schulz and several spectators.

Chairman von Achen called the meeting to order at 7:00 pm, the pledge of allegiance was recited and the minutes of the May 1, 2013 meeting were approved as circulated. He then invited Interim City Manager Press to make his report.

Press told the commission members that the interviews for city manager were on-going; that the city had expected to have a report on the grant application for the pedestrian walkway over Highway 10 on May 27, but so far they have heard nothing. He said sidewalks are in the process of being built at the high school and middle school, and that once they have approval from the Eudora School Board to re-use the large shelter house at Nottingham School, the city crew will use it to build two shelters, one at the Wakarusa boat ramp and one at Pilla Park across from the City Municipal Building.

Codes Administrator Baumann reported that seven new houses are under construction and he expects two or three more permits for houses to be issued this summer. The building inspector's report showed 21 permits issued in May with a valuation of \$46,975. Fees received in May totaled \$740.

No one spoke in the public comment period, so noting that there were no public hearings and no Old Business on the agenda, Chairman von Achen called for the first item under New Business: Consider a preliminary site plan submitted by Grob Engineering Services for Holy Family Catholic Church, 820 Birch Street, Eudora. He asked Consultant Michie for his comments.

Michie said there had been a previous discussion with the Planning Commission at the December 5, 2012 regular meeting when a conceptual site plan was reviewed and a principal item noted then was the need for more parking spaces, since a 521 seat church requires one parking space for every three seats, which meant 178 spaces would be needed. No decision was made at that time, he said. Michie said that in addition to the parking problem, the site plan also had to deal with storm drainage, curb cuts, sidewalks, some landscaping adjustments, asphalt depth of the entry driveway, retaining wall engineering details, outdoor lighting, trash storage, and a 20 foot easement proposed to be vacated. He deferred to Dean Grob to explain any changes that had been made.

Grob came forward and spoke in considerable detail about why he believes it would be better to allow rain water to flow directly as it falls into the adjacent flood plain, instead of holding it in detention and releasing it later to coincide with peak discharge from upstream areas. Either way, he said, the percentages were very close and he thought the City Engineer would be able to issue a waiver for the detention pond.

Chairman von Achen told Grob that the City Engineer is in control of this, and when he is satisfied, "we will be satisfied."

On the question of curb cuts, the 8th Street cuts on Birch are satisfactory, even though one does not meet modern standards. Grob agreed the entrance paving will be six inches of asphalt on six inches of gravel and that they will retain the existing sidewalk on Birch Street and will add sidewalk north to 8<sup>th</sup> Street, and on the south side of 8<sup>th</sup> Street, even though there are no other walks to link to. The chairman pointed out it is in the regulations so it must be done.

Grob said the outdoor lighting will be shown on the final plat, the 20 foot easement can be retained, and the tree placement may have to be adjusted. Pickert, Chairman of the church planning committee, explained that he was trying to keep as many trees as possible and he had not known they had to be 10 feet and preferably 20 feet, from a water line. He said that would probably sacrifice three trees.

Finally there was a lengthy discussion about the parking spaces. Pickert said that at the present time the church rarely has more than 200 present on Saturday night and 300 on Sunday morning, and that it will be at least 10 years and perhaps 40 before 521 seats will be filled. In answer as to why make it so big, Pickert explained that the Archbishop who makes the decision for the parish, looking ahead to the expected continued growth in Eudora and surrounding communities, required a larger church.

However, Pickert continued, since the 521 number is off in the future, the committee had hoped the additional parking could be phased in as needed. In fact, he said, we aren't even planning to put in enough pews to fill the church at this time. We do own a lot across Birch Street which will eventually be parking, and we could remove more trees, but additional parking really isn't needed at this time, and we would have to maintain the extra hard surfaces.

Chairman von Achen suggested it might be possible to phase the parking if there was a trigger and a guarantee that when the parking was needed it could be provided, and Michie mentioned that the church could apply for a variance. von Achen said the Planning Commission cannot grant a variance that application would go before the Board of Appeals and Administrator Baumann said it would take at least two months and maybe longer if they took the appeals route.

Pickert asked how a trigger is defined, and von Achen said one example would be to start a sinking fund. You would pay into it regularly; then when you need the parking you would have the money for it.

Glenn Bartlett mentioned that right now the parishioners park on the street for every service, perhaps mainly due to convenience, but the city does not allow street parking included in the count of spaces, and it is a traffic hazard.

Jason Hoover said the new church will be nice, a big asset and he looks forward to it, but rules are rules and we did warn you in December that you would need 178 spaces.

Chairman von Achen summed up the discussion, saying that the storm water question is still up in the air, the parking is not resolved, and the landscaping needs refiguring. He asked if the applicants wanted to defer the decision.

Tim Pringle suggested looking at pew numbers versus parking spaces again. Since the number of parking spaces hinges on the number of seats, he said, and since you are not providing 521 seats now, but the same number as in the present church, then you don't need the extra parking. Then when you have to add more pews that will be the trigger for more parking. Maybe we can approve less parking for now.

However, several demurred at his idea, asking who would police when new pews are added, and Jason Hoover remarked that enforcing rules has been our problem in years past.

von Achen told the commission they had three options when recommending the site plan to the City Commission. They could recommend approval, they could recommend conditional approval with conditions, or they could defer it to a future Planning Commission with itemized conditions to be solved.

Both Tim Pringle and Johnny Stewart said they hate delays, and Stewart suggested it might be better to go ahead and forward it to the City Commission as approved with conditions, but Michie said that action would send it to the Governing Body and then they would have to work out the conditions.

Pickert came to the podium with their decision. He said deferral would be the easiest way to go, and asked the Planning Commission to let them sort through it and come back next month.

**Tim Pringle moved to defer the preliminary site plan to the July 3 regular meeting.** Jason Hoover seconded the motion and the vote was 4 to 1 in favor with Stewart casting the dissenting vote.

Chairman von Achen called for the second item under New Business: Receive a presentation from Gary Scott, Parks and Recreation <sup>Director</sup> Administrator, concerning a policy for a Farmer's Market development.

Scott came forward and told the commission that plans for a Farmer's Market are well underway and that they had a copy of the 16 point rules and regulations in their packet. He said he had named a six person committee: Kevin Wade, Tracy Treftz, Dan Strimple, Heather McPeek, Diane Chrislip and Barack Matite, and that a manager will be named.

He said the plan is for the market to start this month in June and run through August for 10 weeks. It will be on the south side of Nottingham School and allow for parking from both Church and Elm Streets. It will operate from 4 pm to 7 pm on Friday evenings. They are asking a very small fee from vendors, only \$30 for all ten weeks.

Tim Pringle suggested Scott might want to rethink the use of the word "hawking" in point number 9, since the word has several different meanings. Scott said he was thinking of a carnival barker, and Matite said he would see if the word is in the Planning Commission definitions.

The only discussion concerned whether a Farmer's Market requires a Type 3 sales permit. A Type 3 permit would take weeks to obtain since it requires a Use Permitted Upon Review, publication and a public hearing. However, on closer study of the regulations it was determined that since this market will be for a limited duration and only one evening a week it will only need a simple permit to be obtained from the Codes Administrator.

**Jason Hoover moved to endorse the Farmer's Market, Glenn Bartlett seconded the motion and the vote was unanimous in favor, 5-0.**

**Glenn Bartlett moved to adjourn, seconded by Jason Hoover. The meeting adjourned at 8:21 pm.**

Signed:   
Kurt von Achen, Chairman

Signed:   
Marjorie Gronniger, Secretary