

SEPTEMBER 4, 2013 PLANNING COMMISSION MEETING MINUTES

The Eudora Planning Commission met in regular session on Wednesday evening, September 4, 2013 in the Eudora Municipal Building. Six members were present: Chairman Kurt von Achen, Vice Chairman Richard Campbell, Jason Hoover, Grant Martin, Tim Pringle and Johnny Stewart. Glenn Bartlett was absent.

Also present were Codes Administrator Curt Baumann, Consultant Scott Michie of Scott A. Michie Planning Services, Danny Shockley, Mike Warner, Dana Chance and Susan Roberts who was reporting the meeting for John Schulz.

Chairman von Achen called the meeting to order at 7:00 p.m., the pledge of allegiance was recited and the minutes of the July 3, 2013 meeting were approved as circulated. There had been no August meeting.

There was no City Manager's report as Mike Press was unable to be present. The Building Inspector's report, prepared by Inspector Baumann and City Management Intern Barack Matite, showed 17 permits issued in the month of August with a valuation of \$378,275. This included one single-family permit to Derrick Long for 2214 Country Drive. Baumann said a permit for another single-family home had been issued today. Fees for the month totaled \$5,455.

No one spoke in the Public Comment period. Chairman von Achen noted there were no public hearing items on the agenda, so he moved on to Old Business, acknowledging the reappointment of three members to the Planning Commission; himself, Richard Campbell and Glenn Bartlett.

The election of officers followed. **Richard Campbell nominated von Achen to again serve as chairman.** Johnny Stewart seconded the motion and the vote was unanimous in favor. **Jason Hoover nominated Richard Campbell to serve another term as vice chairman,** Grant Martin seconded the motion and the vote again was unanimous in favor.

There were three items of New Business. The first was consideration of a preliminary and a final plat of Shockley's Addition to the City of Eudora. This addition is a plat of a portion of the original townsite of Eudora, designated "Market." It lies west of Elm Street on the north side of 16th Street. Chairman von Achen asked Consultant Michie for his opinion.

Michie said the city has made a practice of accepting and considering simultaneously the preliminary and final plats of small subdivisions, which is the case in Shockley's Addition. In this case, Michie said, the subject lot has been split once before which required a replat this time. He said staff recommends approval of the preliminary plat and the final plat in conformance with Section 17-403 of the Subdivision Regulations. The final plat provides for the dedication of all utility easements in the preliminary plat and all lot requirements of the two new lots are met. There is no need for additional public right-of-way, he said.

There had been a minor glitch in that the surveyor's signature was missing from the signature block on the plat, but Codes Administrator Baumann said he had contacted the surveyor, Brian O'Keefe and he handed around faxed copies showing certification and the surveyor's stamp.

A member of the audience asked if he could speak. He identified himself as Mike Warner of 1511 Elm Street, and said his property adjoins the Shockley Addition. He asked if Mr. Shockley plans to build on the property?

von Achen told Warner that as of this meeting we are just looking at a division of land, but Shockley, who was present, told Warner that while he has no immediate intention of development, that he will eventually be building a residence on either lot one or lot two, he is not certain which. Tim Pringle invited Warner to come forward and showed him a copy of the plat.

Grant Martin moved to approve the preliminary and the final plats in conformation with section 17-403 of the Subdivision Regulations with the condition that the signature block for the surveyor be completed. Jason Hoover seconded the motion and the vote was unanimous in favor, 6-0.

The second item under New Business was "Consider as a discussion item: Draft zoning text amendment to revise and simplify existing site plan review requirements and procedures; and consider setting a date for a public hearing on the zoning text amendment." The chairman asked Michie to comment.

Michie said that staff realized in June and July when working on the Catholic Church site plan that the city is in the cumbersome position of having to interpret whether the current regulations require only a final site plan or whether both a preliminary and a final site plan must be submitted, so he is requesting the Planning Commission discuss a draft text amendment that adds needed site plan submissions, while simplifying and clarifying the process.

Michie had prepared a detailed site plan review presenting changes and roughly they include:

The current zoning regulations create a false distinction between a preliminary site plan and a site plan. There is no substantive (or even procedural) difference between them so the draft text amendment eliminates the false distinction by providing for a simpler "Site Plan."

The regulations refer to Installation and Maintenance improvements, and call for installation, but then are silent on maintenance. Requiring maintenance of landscape improvements is not provided for in the current regulations so the Planning Commission must decide whether to address maintenance of landscaping if it is important to the city.

The draft text submittal requirements, including storm water management details and metrics/studies to back up what is proposed by the site applicant.

The revised regulation format is simpler and more clearly stated, and incorporates steps for submittal and review (with a required pre-submittal meeting between applicant and staff, for example) that is now in the procedures manual, but not codified in the regulations.

The Planning Commission appeared to agree that simplification is needed and that storm water management is very important, but most of their discussion concerned requirements for maintenance and whether the city wants to try and force, for example, proper care of landscaping, once installed. Michie remarked that the present regulations appear to be more philosophical than practical.

von Achen said that before the Planning Commission had the present staff to assist with all the details it was more important to have the preliminary plan to catch errors or omissions, but now that the staff does so much of the preparatory work with the applicant, perhaps only the one site plan is needed. Michie said the site plan could always be sent back for corrections if needed.

Tim Pringle clarified that it is only preliminary and final site plans that may be changed, and not preliminary and final plats. Michie assured him that both are definitely needed for plats.

Richard Campbell said he hates to see the city get into too much detail, like regulating couches on front porches. (A reference to a recent item on the Lawrence city agenda)

On the pages of changes suggested on site plans, Johnny Stewart referred to 5/11, "Any other information required as a condition of approval of the site plan." He said he thought that sounded like a catch-all phrase and was too open ended. However, Pringle, Hoover, Campbell and the chairman, all spoke in favor of the catch-all line, and Michie explained that it is often necessary since it is almost impossible to list every single thing that may be necessary.

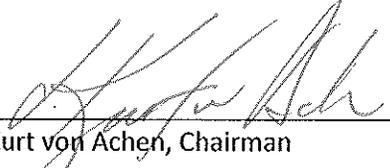
Richard Campbell moved to set a public hearing for the October meeting. Tim Pringle seconded the motion and the vote was unanimous in favor, 6-0.

The final item under New Business was consideration of setting a date for a public hearing for the annual review of the city's Long Range Comprehensive Plan. Michie said this is a statutory requirement and even though no major changes or additions have been made this year, it still requires a public hearing.

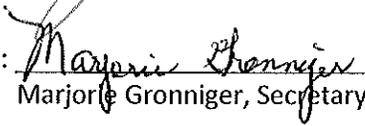
Richard Campbell moved to set the October meeting date for the review. Grant Martin seconded the motion and the vote was unanimous in favor, 6-0.

Richard Campbell moved to adjourn, Johnny Stewart seconded the motion and the meeting adjourned at 7:41 p.m.

Signed: _____


Kurt von Achen, Chairman

Signed: _____


Marjorie Gronniger, Secretary