OCTOBER 2, 2013 PLANNING COMMISSION MEETING MINUTES

The Eudora Planning Commission met in regular session on Wednesday evening, October 2, 2013 in the Eudora Municipal Building. Five members were present: Chairman Kurt von Achen, Glenn Bartlett, Grant Martin, Tim Pringle and Johnny Stewart. Richard Campbell and Jason Hoover were absent.

Also present were City Manager Mike Press, Codes Administrator Curt Baumann, and Consultant Scott Michie of Scott A. Michie Planning Services.

Chairman von Achen called the meeting to order at 7:00 pm, the pledge of allegiance was recited and the minutes of the September 4, 2013 meeting were approved as circulated. von Achen invited City Manager Press to make his report.

Press said he had good news in that the U.S. Court of Appeals had ruled in favor of Eudora in the long-running lawsuit between the city and Rural Water District #4, south of town. He said the water district had 30 days to appeal the decision to the Supreme Court and that time period would be up on either October 6th or 7th. Press said he could not guess whether they would go ahead with another appeal, but he said this is a far bigger deal than just between Eudora and Water District #4. He said he has been receiving calls from all over the country asking questions about the case since it is a widespread problem when cities attempt to grow into areas controlled by rural water districts.

The rest of the City Manager's report dealt with citizens who have given Codes Administrator Baumann a bad time when the city has had to mow grass when residents have ignored notices to do the mowing themselves. Press commended Baumann for the harassing he has endured.

Johnny Stewart asked what the usual cost is when the city has to do the mowing? Baumann said it is normally $150 which includes all the paperwork and necessary administration. He said it can be more if there are several parcels.

The Building Inspector's report listed two new homes under construction: one at 1308 Greenbrier Drive by Klint Kerr, value $265,000 and one at 2729 South Fir Terrace by Apple Tree Homes, valuation $313,264. Total valuation for the month was $758,177 and fees totaled $10,785. Baumann said nine permits have been issued for single-family houses for 2013 and he expects two or three more before the end of the year.

There were no members of the public present so there was no public comment.

Chairman von Achen called for the first item on the agenda: A public hearing to consider zoning text amendments to revise and simplify existing site plan review requirements and procedures. He asked Consultant Michie to speak.

Michie referred to the memorandum he had forwarded to the commissioners, along with the four pages of text amendments. The memo listed four points of concern that the amendments address.

1. A one-step Final Site Plan requirement to replace an ill-defined preliminary-final step process.

2. Additions to site plan submittal requirements, including more detailed analysis of stormwater management needs and improvements for the site and its neighboring properties.

3. A "Minor Site Plan" review and approval only for small non-residential renovations that city staff will approve.

4. A more clearly stated review process that requires a pre-submittal meeting between applicant and staff.

Michie reminded the members that this had been discussed at several previous meetings, especially concerning the site plan for the Catholic Church.

The chairman opened the public hearing and then immediately closed it, since no member of the public was present. He asked for questions or discussion from the commission.

Johnny Stewart asked a question relating to the "minor site plan" and Michie explained that for a non-residential structure to be classified as "minor" an addition must not exceed 10% of the existing floor space and meet all area lot requirements. Then staff can make the final decision on the site plan, Michie said.

Stewart also asked about the city requiring maintenance of landscaping, since it is still listed under "Improvement and Maintenance Guarantees." He said he thought that was to be deleted. Michie said it is still there but there are no sanctions listed if the homeowner puts in improvements but does not maintain them.

Tim Pringle asked the chairman if he thinks these changes are a good thing? von Achen replied that they are not as strict as some he deals with as an architect, but that he has read them and they seem suitable. **Pringle then moved to recommend approval of the text amendments to the city commission,** Johnny Stewart seconded the motion and the vote was unanimous in favor, 5-0.

The second public hearing on the agenda was consideration of the annual review of the Eudora Comprehensive Plan. He asked Michie for his comments.

Michie said that this public hearing is necessary because Kansas State Statutes on Planning and Zoning require that any city that has a Comprehensive Plan shall review it once a year with a public hearing. He said that even though there has been no change or addition to the Eudora plan this year, it still must be officially approved. He remarked that this is the first time in 10 years that there had been nothing changed. Two years ago the Nottingham Improvement Plan was added and last year the section on Parks and Recreation was included.

Michie said that Eudora is fortunate in that it has a good relationship with the Lawrence-Douglas County Planning Commission and they recognize Eudora's interests within the 3 mile radius of the city. He noted that they had commended Eudora on their Comprehensive Plan at the time of the application for the first sand pit near Eudora.

Michie added that in 2014, if the legal opinion on the water district lawsuit holds and is not challenged, that Eudora might want to amend the comprehensive plan to add language on that subject. He also mentioned that he has noticed the wording of Eudora's concept of the 3 mile radius is a bit different from how the Lawrence-Douglas County Planning Commission words it; they refer to an "area of influence" and they have a different growth line drawn around Lawrence. He said it might be wise to have common terms, apples to apples, when considering it.

von Achen said he was aware that it has been suggested that Eudora adopt the term "urban growth area" but that might change our development plan, so we have not made the change. Once again he opened a public hearing, then immediately closed it.

Glenn Bartlett moved to approve the Comprehensive Plan as it stands, with no changes or additions in 2013. Grant Martin seconded the motion and the vote was unanimous in favor, 5-0. Michie said the City Commission does not need to take any action on this, but you should let them know the hearing was held and the plan approved.

Glenn Bartlett moved to adjourn, seconded by Johnny Stewart. The meeting adjourned at 7:31 pm.

Signed: _____
Kurt von Achen, Chairman

Signed: _____
Marjorie Gronniger, Secretary