

January 8, 2014 Planning Commission Meeting Minutes

The Eudora Planning Commission met in regular session on Wednesday evening, January 8, 2014 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, City Manager Mike Press and Public Works Director Mike Hutto.

Chairman von Achen called the meeting to order at 7:00 pm, the pledge of allegiance was recited and the minutes of the December 4, 2013 meeting were approved as circulated with one correction: Grant Martin stated that on Page 2, Paragraph 7, it was Jason Hoover who mentioned the RV that extends over the sidewalk on Peach Street, and not Martin.

The chairman asked City Manager Press for his report and inquired as to the standing of the lawsuit between Rural Water District Number Four which Press had said in December might be headed for the Supreme Court.

Press said the City Commission had a busy year in 2013 and are working on plans for 2014. As for the lawsuit, Press said the city made their response to the water district's appeal, and the district proceeded to appeal to the US Supreme Court. Press said the city has not heard whether or not the court will hear the case.

von Achen asked, "So are we in limbo?" Press replied that it is always open until the court rules, but if they decline to hear it the case is over. However, if they decide to hear it we will just have to wait. He said he understands there will be a presentation on the lawsuit at the upcoming water and sewer meeting in Wichita.

The Building Inspector's report showed 14 permits issued in December for a total valuation of \$668,744, with one permit for a single-family home issued to T. J. Doetz at 110 Lakeview Lane with a valuation of \$242,000. Fees collected for the month totaled \$9,812. The report included a record of all fees collected each month in 2013. Administrator Baumann said 12 permits had been issued for single family homes in 2013, with another expected to be issued this month. He said the total of 246 permits issued all year was the most since he came to Eudora.

Jason Hoover remarked that he feels fees should be as low as possible, since it seems everyone complains about the high cost of building in Eudora. Press said the City Commission may make some changes in 2014.

No member of the public was present for public comment and there were no public hearings on the agenda, so the Chairman proceeded immediately to Old Business: "Continue discussing issues surrounding off-street parking improvement standards and restrictions in residential and commercial districts and the merits of a zoning text amendment." He asked Consultant Michie for his comments.

Michie had prepared a memorandum suggesting ways off-street parking could be improved, but he said it was still a work-in-progress. The principal problem discussed at the December meeting had been too many cars and not enough parking spaces. The request had been to perhaps allow parking next to houses in their side yards, with a gravel or hard surface pad, but this had met with numerous objections.

Michie's memo suggested that additional parking spaces could be added to all residential yards by expanding the width of the driveways or extending them into side or back yards, subject to driveway setbacks from side lot lines, provided that the total width of the parking surfaces in established front yards shall not exceed 40 per cent of the front width, and supplementary parking spaces may be improved with dust-free surfaces other than a hard surface of concrete or asphalt on lots where off-street parking was legally improved with other than a hard surface.

Chairman von Achen said the definition of a front yard extends across the full width of the lot, but he asked "What defines a side yard?" He suggested that instead of saying "side yard" we should refer to side lot lines. He also told Michie that since he lives on a gravel road with a gravel driveway, that gravel is not a "dust-free" surface. And he repeated his belief that cars parked in a side yard would be a hazard in fire fighting. However, Public Works Director Hutto said he has talked to the fire chief who said he has no problem with parking in side yards.

The discussion of side yard parking continued with Codes Administrator Baumann arguing that three parking spaces for residential areas does not work; there are just too many vehicles. He said the only place he sees parking in back yards in Eudora is in the Wakarusa addition. That would help alleviate the problem, he said, and added that Olathe and Lawrence do allow parking in side yards.

Michie contributed that a Homes Association could restrict parking, but it was understood that only one of several Homes Associations in the newer additions was functioning.

In addition to the problem of side-yard parking, the discussion at this meeting emphasized the many boats, campers and RVs, and Public Works Director Hutto added snow removal troubles to the mix. He said it is almost impossible to do a decent job of blading snow when cars are parked on both sides of a street. He said Peach Street, which is used as an exit from town is wide enough that cars parked there are not such a problem, and 12th Street, which is a major east-west street, is narrow enough that cars do not park on it very much, but Birch and Tallgrass and cul de sacs are major headaches.

City Manager Press said a man came in last week and said everybody but him parks on the street in his cul de sac, so when they had to plow the street after the recent snow, they dumped it all in the one open spot, in front of his house.

Grant Martin referred to the December minutes where Richard Campbell recommended a need for enforcement. How are we going to enforce the code we have now to keep them from dumping gravel beside their houses, he asked? I own a bunch of recreation vehicles, he said, but I don't park them in my yard. If people can afford the vehicles they should be able to afford the storage for them. I came on the Planning Commission with the hope to benefit the city going forward. I hate to see us going backward.

Tim Pringle asked if parking on only one side of a street would help, and Hutto said that is an excellent idea. Tim asked how many requests they get, asking for side yard parking, and the answer was "about one a month".

Richard Campbell said perhaps he could see a car by the side of a house on pavement, but not a 40 foot RV.

Press said when he was in Gardner they wanted to get rid of RVs. Long time residents were told they couldn't do what they had been doing for 20 years. They worked out a partial solution by putting a shelter above the vehicle. It looked a little better, he said.

Hutto remarked "By the way, that RV blocking the sidewalk is not breaking any code in Eudora regulations. He actually is ok, but I think I'd rather see it in his side yard."

Johnny Stewart said he had seen an RV parked neatly by the side of a house, but it was on a gravel pad.

Chairman von Achen suggested that we need to put together something reasonable for Curt to enforce, and Press suggested Baumann look at Olathe and some other cities and craft something. Michie said the rules on page 2 of his memo came from Olathe.

Press agreed that some issues still need to be ironed out. Everybody here wants what is right for the community and the commission does too, he said. Maybe we could take the worst offense and work our way through it, he added.

Press said that unless the City Commission wants to start cracking down, gradual changes are better. How do we say "you can" or "you can't"? Maybe dimension or the size of the vehicle is one way? We've got to get where we all want to be. Olathe is a good example. It was a rural small town, then it exploded into a city with all kinds of growing pains. Maybe we can learn from them.

von Achen said he still doesn't hear a groundswell on how to handle this, and it definitely needs more work. We will continue to study it and we will continue to work with the commission, he told Press.

Martin asked Press how Olathe enforces the rules on someone who blatantly violates the code? Press said that ultimately a lien is put on the property if the person is a homeowner.

Richard Campbell moved to adjourn, seconded by Tim Pringle. The meeting adjourned at 8:04 pm.

Signed: 
Kurt von Achen, Chairman

Signed: 
Marjorie Gronniger, Secretary