

Eudora Planning Commission Meeting Minutes

May 4, 2016

Kurt von Achen, Chair	Present
Richard Campbell, Vice Chair	Present
Glenn Bartlett	Present
Grant Martin	Present
Johnny Stewart	Present
Jason Hoover	Present
Tim Pringle	Present

Additional Attendees:

Gary Ortiz, City Manager
Barack Matite, Assistant City Manager
Curt Baumann, Codes Administrator
Nick Pappas, Eudora Planning Consultant with Shafer Kline & Warren Engineering, Inc.
Mayor Tim Reazin
Commissioner Ruth Highs
Commissioner Tim Bruce

Quorum for City Commission noted and posted.

Meeting called to order at 7:00 p.m. by Chairman von Achen.

The pledge of allegiance was recited.

Quorum noted for Planning Commission.

3. General Business

- a. Mayor Tim Reazin recognized Chairman von Achen for his 45 years of service on the Planning Commission and presented him with a plaque.
- b. Secretary Eric Strimple swore in Commissioners Glenn Bartlett, Johnny Stewart, and Tim Pringle.

Planning Commission minutes from the April 6, 2016 were approved as distributed.

Codes Administration update- Codes Administrator Baumann gave an update to the Commission, including that the first single family permit of 2016 has been issued. He has also been in talks with two developers and they are close on beginning projects in Eudora.

Chairman von Achen thanked Curt for all his hard work he does for the city.

City Manager update- City Manager Gary Ortiz gave an update to the Commission. Ortiz addressed the audience so they can sign up for email notifications if they would like. He congratulated Chairman von Achen for his 45 years of service. He informed the Commission that City staff is working on the capital plan for 2017. The second item he discussed was the economic development of the Nottingham

property. CBC Group was selected for the developer and work is continuing on the legal description of the TIF district.

Chairman von Achen brought the meeting back to the Commission for questions- none heard.

4. Public Comment Period- Rex Burkhart personally thanked Chairman von Achen for his service along with the whole Planning Commission for their service. He stated that Mr. von Achen was important to the growth of Eudora.

Danny Queen spoke to the Commission about an ongoing issue with his neighbor. He stated he has been in contact with the Codes Department and that his neighbors grass is excessive. He stated that there is an issue with rodents, reptiles and bugs. This property is at the corner of 8th and Acorn. He stated that the yard is still in violation of City Code.

City Manager Ortiz responded to Mr. Queen on his issue. He stated that the situation is currently being worked and that it is not an easy issue because it is not a traditional yard because some of the areas are covered in what would be considered ground cover.

5. Public Hearing

a. Residential Parking Text Amendment

Nick Pappas began the Public Hearing by presenting a slide presentation outlining the Text Amendment. A full copy of the presentation is available for review upon request.

Chairman von Achen brought the meeting back to the Commission and opened the Public Hearing. He stated that the Planning Commission is in a position to recommending action to the City Commission.

Michael Rockhold Sr. asked the Commission what the cost of the permit would be. Chairman von Achen stated that the fee would be set by the City Commission, but to his knowledge the permit would be free.

David Bakarich stated that he has an RV that is stored in another county and he wanted to know what would happen if he decided to bring it to town for a week or more. Chairman von Achen stated that the ordinance reads that he would have a 72 hour window. Bakarich then asked what the permit would cost in the future. Chairman von Achen stated that to his knowledge there would be no charge.

Michael Coffman stated that he thinks the citizens should be grandfathered in because of their property and not if they own an RV at the time of the ordinance going into effect. He then stated if he bought one later that he would not be able to store the RV at his house. Vice Chairman Campbell corrected him and said that he would be able to store it at his property, but it would have to be behind the front façade.

Deanna Milton asked why the City is outlawing RVs in the first place. Chairman von Achen stated that they were not outlawing RVs, but stating that they could not be parked in the front yard. Milton then asked if her kids wanted to get an RV two years from now and store it in their

back yard would they be able to get a permit. The Commission told her that no permit would be needed for back yard parking.

Nathan Douglass stated that some people have the option to park in the back of the property and some do not. He then added that he felt if it was licensed and tagged it should be ok to have the RV where the home owner sees fit.

Bill Whitten asked if the Commission started the Ordinance to clean Eudora up. Vice Chairman Campbell stated that the process began with people pouring concrete on the sides of their homes without permits and the City Commission asked the Planning Commission to look into some rules to help the Codes Department with the RV issues.

Terry Larson asked if someone is parked illegally could the City not just issue a ticket for it. He then stated that most of the streets in the town do not have curbs. He feels that the City is jumping the gun on this Ordinance.

David Bakarich asked if he would have to prove that he owned an RV to get a permit. Chairman von Achen stated that the citizen would have to show where the RV would be stored to get the permit.

Lisa Englebrecht asked if they got the permit for their RV and then at a later time decided to put it in storage for a while, would they be allowed to still park the RV there when they decided to bring it back out of storage. Chairman von Achen responded that as long as they had the permit, yes.

Ronald Nichols asked about small utility trailers and if they would be able to have them in their drives. He also asked about the licensing of those trailers since not all are required to be licensed in the State of Kansas. Chairman von Achen stated that the licensing is related to RVs not trailers under 2000 lbs.

Scott Stupie stated that he lives at the back of a cul-de-sac and that if the Ordinance would allow him to pour concrete to his property line he is for the Ordinance. Chairman von Achen said he would be able to do that.

Bill Whitten asked if he had a camping trailer and a jet ski in his driveway if one would have to go in a garage or storage. Chairman von Achen responded, no.

Commissioner Stewart asked Nathan Douglass if his RV was currently in the street. Douglass responded yes and he moves back and forth, and also when he goes to get gas. He then stated once the house is renovated the RV will be in the back of the property.

Danny Queen asked if he purchased a 5th wheel to use for bigger trips and a small pop up for local trips would it be considered a second RV. Chairman von Achen stated he would be able to have one in the front and he could store the second in the back of the property.

Michael Coffman asked about the portion about flatbed pickups. He stated that the Ordinance would not consider flatbeds as passenger vehicles and with that limiting the parking of flatbeds. He stated Eudora is a rural community and he feels that they should be passenger vehicles.

Commissioner Hoover responded that it was addressed. Nick Pappas stated that it was on page 10, but was struck out.

Bryc Brock asked if the person had a commercial property if the RV Ordinance would affect it. Chairman von Achen stated that it will only affect private party.

Jody Long added that he feels that the property should be grandfathered to the current property owner and not just if you have an RV now.

Al Gyles is in favor of the Ordinance overall, but feels that the property owner should be grandfathered in at the current property.

Bob Langerstrom asked how the process will be to obtain the RV permit. Chairman von Achen stated that was an administrative question that he could not answer at this time. Commissioner Stewart added that he thought that it would require a site visit.

Brian Beets asked about off alley parking. Chairman von Achen stated that off alley parking would not be affected.

Richard Jump stated that he has no problem putting his RV in the back yard, but he does have an issue that he has to pour concrete 4 inches thick on the side of his house to get the RV there.

Connie Call said that the City should look at the past because she feels the City is on the way to more encroachment on citizens.

Brian Beets wants to know why the City doesn't do more on curbs and sidewalks. Chairman von Achen stated that he believed the City is working on a plan to address some of those issues.

Chairman von Achen closed the public hearing to consider the Ordinance.

Commissioner Stewart stated the three issues he heard in public comments were personal property rights, parking on a hard surface and why that is required for an RV, and grandfathering the current owner of the property instead of the RV. Commissioner Hoover added that grandfathering the property owner was the big issue for him. Chairman von Achen added that would do away with the Ordinance.

Vice Chairman Campbell added a lot of the comments he heard were about driving to the back yard and the code is making it where if the driveway is concrete the side drive would have to be concrete. He felt maybe it shouldn't require that if they are just driving to the back yard for access. Commissioner Pringle added that having gravel would affect the neighbors' property value.

Vice Chairman Campbell addressed the audience that he knows it is tough to make an Ordinance for the whole City and to not get discouraged. He feels that the Planning Commission has had the Ordinance long enough.

Commissioner Martin added that it will go to the City Commission and they can send it back to the Planning Commission if they see fit to rework it. He also feels that the City is going to make sure that

there is ample time to get in compliance with the Ordinance. Vice Chairman Campbell added that corner lots are an issue and asked the City Commission to look at the way those are addressed.

Commissioner Bartlett stated that the objective is to be fair.

Commissioner Stewart made a motion to send the Ordinance to the City Commission, Commissioner Hoover seconded, all ayes, motion carried, 7-0.

b. Final Plat: Meadows at 15th No. 2 Addition

Nick Pappas started by going over the Plat. He stated that very little has changed since the Preliminary Plat. He stated some of the changes were that they enlarged the utility easements to fifteen feet all the way around the perimeter. There is also a drainage easement of 20 feet on the north part.

CL Maurer with Land plan Engineer presented for the property owner. He stated that there is an added 20 foot easement that will go through the middle of the lot from the storage units to the west. He also stated that all of the lot minus a couple small spots is not in the flood plain.

Chairman von Achen asked if there were any questions.

Vice Chairman Campbell mentioned that the code states that placement of street lights is normally needed on plats, but with not being a through street that would not be needed. He then stated that there wasn't a letter from the City Engineer stating that they had reviewed the Plat and wanted to know if that had been done. Nick Pappas stated that they had the letter.

Commissioner Hoover noted that the Plat showed Donna Oleson as a needed signature and that would need to be fixed.

Commissioner Martin made a motion to approve the final plat as submitted, Commissioner Pringle seconded, motion carried, 6-1, Commissioner Bartlett opposed.

c. Annexation of various right-of-ways from Douglas County into the City of Eudora.

Nick Pappas began by stating that there are several right-of-ways within the City that the City maintains in any possible way such as plowing the roads, but they are still held with Douglas County. This was request from Mike Hutto to get the right-of-ways within the City. Pappas added that the annexation does not include any land, just roads.

Commissioner Bartlett asked if the roads are annexed in if the County would help with snow removal. Pappas stated that the City is already taking care of this so it will not add any more stress to the City.

Pappas added that a plus for the City would be that the city could do road improvement since it would be the City's.

Vice Chairman Campbell asked where Article 20 Annexation procedure is located. Codes Administrator Baumann stated that portion was pulled from the Procedures Manual.

Vice Chairman Campbell asked if they should hold off on taking action with the annexation since the commission didn't have KSA section 5 and Article 20 annexation procedure.

Pappas stated the annexation can be tabled, but as far as the procedures go the annexation is in line.

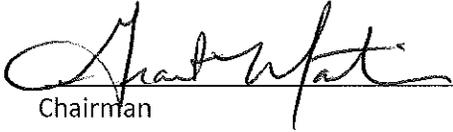
Commissioner Hoover made a motion to approve the Annexation of right-of-way from Douglas County, Vice Chairman Campbell seconded, all ayes, motion carried, 7-0.

8. Calendar

a. June 1, 2016: "Planning 101" presentation and handouts.

Chairman von Achen made a motion to adjourn, Commissioner Stewart seconded, all ayes, motion carried, 7-0.

Meeting adjourned 8:11pm.


Chairman


Eric Strimple, Secretary