

Eudora Planning Commission Meeting Minutes

March 6, 2019

Grant Martin, Chair	Present
Danielle Young	Present
Johnny Stewart, Vice Chair	Present
Jason Hoover	Present
Tim Pringle	Present
Dr. Ryan Rock	Present
Josh Harger	Present

Additional Attendees:

Leslie Herring, Assistant City Manager  
Dave Knopick, Planning Consultant  
Tim Reazin, Mayor

Quorum for Planning Commission noted and posted.

Meeting called to order at 7:00 P.M. by Chairman Martin.

The pledge of allegiance was recited.

General Business:

1. Swearing in of Josh Harger, appointed to the Planning Commission to replace Amber Wells and Danielle Young, appointed to the Planning Commission to replace Glenn Bartlett: Mr. Harger and Mrs. Young were sworn in by Secretary Eric Strimple.
2. Swearing in of Tim Pringle and Johnny Stewart, reappointed to the Planning Commission: Mr. Pringle and Mr. Stewart were sworn in by Secretary Eric Strimple.
3. Acknowledge Glen Bartlett for service to the City: Chairman Martin thanked Glen for the years of civic duty that he has done for the city. Mayor Tim Reazin presented Glenn Bartlett a plaque thanking him for his years of service on the Planning Commission.
4. Consider minutes of the November 7, 2018 meeting- **Commissioner Hoover made a motion to approve the minutes as circulated**, Commissioner Rock seconded, all ayes, motion carried, 7-0.

5. Commissioners reviewed and updated personal contact information for staff. Secretary Strimple asked the Commissioners if electronic copies of packets were ok for months that did not have maps or plans to review. The Commissioners were ok with emailed packets the week before the meeting, but wanted paper copies the night of the meeting.

6. Reports:

- i. Codes Administrator- Curt Baumann stated that there were 337 permits issued in 2018, with 32 new housing starts. He added that the projects that started the beginning of the year have had a slow start because of the weather. The storage units on 15<sup>th</sup> Street should have buildings showing up within the next few weeks.

Baumann stated that Pinecrest Apartments is receiving a major face lift including light fixtures, flooring, roofing, etc.

Commissioner Stewart asked about sign permits on how the fees are figured. Baumann stated that if it is more than an ordinary sign, they would have to come in front of the Planning Commission for approval.

- ii. City Manager- Assistant City Manager Leslie Herring gave an update to the Commission. She stated that Tim Reazin and Ruth Hughs were reelected as mayor and vice mayor for this year.

Herring stated that Lucy Kaegi Park has been demolished and play equipment will be replaced this spring with state-of-the-art playground equipment. There will be additional parking added as well and potential talks about adding a walking trail around the Recreation Department and fields to help when the track is removed down the road.

Herring introduced Dave Knopick to the Commission. Dave is the new Planning Commission consultant.

Commissioner Stewart asked how much the city received for the grant to improve Bluejacket Park. Herring stated the grant was in the amount of \$290,000.00 with the total project being approximately \$450,000.00.

Public Comment Period: None heard

Public Hearings: None held

New Business:

1. **Temporary Use Permit Application: ZTBU-2019-0001 (Within 3 miles of Eudora in Douglas County in the vicinity of N 1420 Rd and E 2300 Rd intersection) of Bettis Asphalt & Construction, Inc. to operate a temporary asphalt plant-** Commissioner Pringle recused himself due to a conflict of interest.

Planning Consultant, Dave Knopick, stated that Douglas County has asked the Eudora Planning Commission to provide comment on an application for a temporary use permit on a property that is located within 3 miles of Eudora's city limits. The applicant, Bettis Asphalt & Construction Inc. (Rich Eckert), would like such permit from Douglas County to allow for the placement of a temporary asphalt batching plant on the described/depicted tract of land provided in the attached application.

He added that the 78.2 acre property is located in an Agricultural Zoning District; used for agricultural purposes; and located less than a quarter mile north of the current Eudora city boundaries in the vicinity of N 1420 Rd and E 2300 Rd intersection, but will not take up all 78.2 acres of the property and would be situated closer to E 2300 Rd.

Dave stated Douglas County has asked that the City of Eudora Planning Commission review and offer comments prior to an upcoming County Board of County Commissioners (BOCC) meeting. The meeting is scheduled for Wednesday, March 20 at 5:30 P.M. at the Douglas County Courthouse (2nd Floor, BOCC Chambers).

Dave stated that the applicant is requesting the temporary use permit from Douglas County for a period of 6 months. The temporary asphalt batching plant and accessory uses are intended to support a KDOT resurfacing (mill/overlay/chip seal) project on K-10 beginning at the Douglas/Johnson County line then extending east to the junction of K-10 and K-7 highways. This project is part of the Kansas City Metropolitan Region Transportation Improvement Program (TIP) for 2018 – 2022 administered through the Mid-America Regional Council (MARC).

Dave said to help with the analysis of the project the City of Eudora Zoning Regulations were provided as reference only since the City does not have jurisdiction in this application and are not making a recommendation, but only conveying comments to Douglas County for their meeting.

Dave stated based on relevant Kansas State Statutes, adopted City of Eudora Ordinances, Regulations and Procedures, and the application content of this request, staff believes that the City of Eudora should convey the following comments to Douglas County:

1. Should the temporary use permit be granted, it be limited to 180 days (with limited extension due to weather conditions) and that the temporary use can only serve the identified KDOT project.
2. That the applicant provides greater detail or conditions be added by the County to ensure that "adequate measures will be taken to prevent odor, dust, noise, lights, drainage, and traffic from becoming objectionable to uses on other properties." Per applicable Federal, State, and local regulations whichever may be most restrictive.
3. That the applicant provides traffic routing and control plan information or conditions be added by the County to ensure that "ingress to and egress from such facilities shall be only from major thoroughfares" between the materials supplier, the batching plant location and the project being served.
4. That the applicant documents the road conditions along the proposed routing of truck traffic prior to the installation of the proposed batching plant and at the termination of the temporary use permit and agree to make appropriate road repairs to restore conditions along the route to an equivalent or better condition than existed prior to the temporary use.
5. That the applicant provides details regarding restoration of the property or conditions be added by the County to ensure that such restoration be completed within 30 days of the termination of the permit to the satisfaction of applicable Federal, State and local requirements.

Commissioner Martin brought the item back to the Commission for discussion.

Commissioner Stewart stated that he felt all the comments in the staff suggestions were very thorough.

Commissioner Martin stated the question he had is why Douglas County is housing an asphalt plant for a project that is going to be completed in Johnson County; Commissioner Harger seconded the question.

Dave Knopick stated that the best that staff can assess is that the process in Johnson County to get approval for a temporary asphalt plant would take too long to meet the construction timeline.

Commission Hoover asked if they will be getting sand from Penney sand pit located north of Eudora. Knopick stated that the material will be coming from Big Spring Quarry to staff's knowledge.

Dave added that the biggest concern is whether the plant would create safety issues for citizens coming off properties and out of the city that we will have to work closely with the county on enforcement.

Leslie Herring stated to her knowledge that there is a portion of the road that the City of Eudora provides gravel for and the township uses their grader to spread it around. She added that the Township has not approached the city with any conversations about road condition and improvements during or after the project.

Commissioner Martin stated that the comments help convey how the Planning Commission feels.

Commissioner Harger asked to have a sixth point be added regarding the placement of the plant in Douglas County instead of Johnson County, where the project is taking place.

**Commissioners suggested forwarding the following comments to Douglas County:**

- 1. Should the temporary use permit be granted, it be limited to 180 days (with limited extension due to weather conditions) and that the temporary use can only serve the identified KDOT project.**
- 2. That the applicant provides greater detail or conditions be added by the County to ensure that “adequate measures will be taken to prevent odor, dust, noise, lights, drainage, and traffic from becoming objectionable to uses on other properties.” Per applicable Federal, State, and local regulations whichever may be most restrictive.**
- 3. That the applicant provides traffic routing and control plan information or conditions be added by the County to ensure that “ingress to and egress from such facilities shall be only from major thoroughfares” between the materials supplier, the batching plant location and the project being served.**
- 4. That the applicant documents the road conditions along the proposed routing of truck traffic prior to the installation of the proposed batching plant and at the termination of the temporary use permit and agree to make appropriate road repairs to restore conditions along the route to an equivalent or better condition than existed prior to the temporary use.**
- 5. That the applicant provides details regarding restoration of the property or conditions be added by the County to ensure that such restoration be completed within 30 days of the termination of the permit to the satisfaction of applicable Federal, State and local requirements.**
- 6. In addition to the five items above the Planning Commission also expressed a concern in regard to the placement of the temporary asphalt plant in Douglas County instead**

of Johnson County. The Planning Commission understands that residents of Eudora and Douglas County utilize K-10 and will benefit from an improved road surface on their travel route, but the Planning Commission also believes that the project and Douglas County would be better served by having the plant located closer to the project in Johnson County.

2. **2019 Application and Review Schedule-** Commissioner Hoover stated that the July 3<sup>rd</sup> meeting would not work. Commissioner Martin suggested moving it to July 10, 2019.

**Commissioner Rock made a motion to approve the Application and Review Schedule moving the July 3, 2019 meeting to July 10, 2019,** Commissioner Harger seconded, all ayes, motion carried, 7-0.

3. **Consideration of the 2019 Zoning Map-** Assistant City Manager Herring stated that annually the Planning Commission recommend the updated zoning maps to the City Commission. She stated there were four changes to the zoning map this year and one change to the UPUR map.

**Commissioner Hoover made a motion to recommend the 2019 official Zoning map and Use Permitted Upon Review map to the City Commission for approval,** Commissioner Pringle seconded, all ayes, motion carried 7-0.

**Commissioner Stewart made a motion to adjourn the meeting,** Commissioner Rock seconded, all ayes, motion carried, 7-0.

Meeting adjourned 7:53 PM.

  
Grant Martin, Chairman

  
Eric Strimple, Secretary