



**EUDORA PLANNING COMMISSION  
CITY HALL – 4 E. 7<sup>th</sup> STREET  
EUDORA, KANSAS  
October 6, 2021  
7:00PM**

**I. CALL TO ORDER**

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

**II. ROLL CALL AND PLEDGE OF ALLEGIANCE**

**Planning Commission Members**

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

**Additional Attendees:**

Kelly Delay, Non-member Secretary, City Clerk  
Dave Knopick, City Planning Consultant  
Barack Matite, City Manager - Remote  
Curt Baumann, Codes Administrator  
Kevyn Gero, Assistant City Manager/HR Manager - Remote  
Scott Slaggie, Slaggie Architects, Inc.  
Andrea Lemken, RIC Architecture  
Andy Gabbert, RIC Architecture

Quorum for Planning Commission noted and posted.

Pledge of Allegiance was recited.

**III. CONSENT ITEMS**

A. Consider the nomination and election for the Planning Commission Secretary

**Planning Commissioner Young made a motion to elect Kelly Delay as the Planning Commission Secretary**, motion seconded by Planning Commissioner Harger, all ayes, motion carried, 6-0.

B. Consider minutes of the July 7, 2021, Planning Commission Meeting

**Planning Commissioner Rock made a motion to approve the July 7, 2021, meeting minutes as distributed**, motion seconded by Planning Commissioner Stewart, all ayes, motion carried, 6-0.

### C. Reports

#### 1. Codes Administrator

- i. Curt Baumann reported the department has received close to 300 permits over the 2021 year. Casey's and Wendy's are moving forward quickly at the Nottingham Center. Housing activity is projected to pick up with Phase 6 of the Shadow Ridge development.

#### 2. City Manager

- ii. City Manager Matite reported the agenda Business Item B should only be an update and not a business item. He is "closing the loop" of an item that has been ongoing from two years ago to update the Planning Commission. He updated that the City Commission approved a leasing agreement with CBRE to manage pad sales for the Nottingham Center. CBRE will additionally be responsible for managing common areas and the Village Green space, which will come to the City Commission for approval in a future meeting. Phase 2 of the Nottingham project has been approved, which includes a roundabout, storm water, and sewer infrastructure installed by RD Johnson Excavating. Matite updated that a Conditional Use Permit application came in, which will be addressed in a future meeting.

### IV. PUBLIC COMMENTS

Public comments were invited but none were heard nor submitted.

### V. PUBLIC HEARING

- A. **Chairman Martin opened a public hearing at 7:17pm** to discuss the amendment of City Code 16-414 regarding fence height.

Codes Administrator Curt Baumann explained the need of adjusting the fence height standard for the City, as it is currently three feet, however three-foot fences are difficult to find. A four-foot fence would provide the same aesthetic value, while giving citizens ease of access to supplies.

**Chairman Martin closed the public hearing at 7:22pm.**

### VI. BUSINESS ITEMS

- A. Consider the text amendment to Eudora City Code 16-414 regarding fence height

Chairman Martin and Planning Commissioner Young both agreed that the code seems to be justified in its regulations. Commissioner Stewart verified that sightlines were covered in the text.

Planning Commissioner Stewart asked if we needed text regarding gate requirements. Matite suggests that if it becomes an issue, we make the amendments regarding gates down the road if it is deemed that there is a need.

**Planning Commissioner Stewart moved the Planning Commission recommend the outlined revision to the sections of the zoning code regarding fences, to the Eudora City Commission:**

- (1) Fencing for safety purposes shall be required wherever dwellings or manufactured homes are built or installed on lots abutting major streets as defined in these regulations and abutting railroad right-of-way.
- (2) No fence shall be constructed which will constitute a traffic hazard. Fences, walls and hedges may be located in required yards as follows:
  - a) If not exceeding at any point six feet in height above the elevation of the surface of the ground at such point, they may be located in any required side of back yard.
  - b) On a corner lot, on the side lot line, no privacy fence shall be closer to the side street lot line than 10 feet, or in the sight line, whichever is more restrictive.
- (3) No fence shall be constructed in a manner of design to be hazardous or dangerous to persons or animals, nor in a floodplains or public drainage easements
- (4) No person shall erect or maintain any fence which will materially damage the adjacent property by obstructing the view, shutting out the sunlight or hindering ventilation, or which will adversely affect the public health, safety, and welfare.
- (5) Front yard fences shall be decorative fences designed so that they are at least 40% transparent, such as split-rail, picket, wrought iron or similar and shall not exceed four (4') feet in height (chain link not permitted). Decorative four (4') feet front yard fences may be placed on the joint property line/road right-of-way line as long as they do not create a traffic hazard (e.g. sight line, etc.) or interfere with the ability to utilize or maintain the functions of/ within the right-of-way. Fences in side or rear yards shall not exceed six (6) feet in height, however, when erected on public or parochial school grounds or in public parks or public playgrounds, the Planning commission may, as a use permitted upon review, authorize the construction of a fence higher than six feet if the public welfare is served.
- (6) The following fences are prohibited:
  - a) Fencing materials of a temporary or short-lived nature such as safety fencing, snow fencing "T post" construction, netting or other similar fencing as determined by the Codes Administrator.
  - b) Chain link fencing with installed slats of vinyl or similar material
- c) Barbed wire, razor wire or other similar injurious materials unless otherwise approved for use in Industrial Districts by the Planning Commission.
- (7) No fencing shall be constructed beyond external lot lines, or across a public sidewalk, or public drainage easement, or FEMA designated 100-year flood plain. For unplatted property, no fence shall be constructed within fifteen (15) feet of any street right-of-way, and shall be subject to other restrictions of these regulations.
- (8) All fences shall be constructed with the finished side facing outward from the property. The posts and support beams shall be on the inside or shall be designed as an integral part of the finished surface.
- (9) A permit to install or modify a fence shall be obtained from the City. Pre-existing, nonconforming fence shall be exempt unless 33% or more of the fence is replaced or repaired, which shall require the entire fence to come into compliance with these regulations, **motion seconded by Planning Commissioner Rock, all ayes, motion carried, 6-0.**

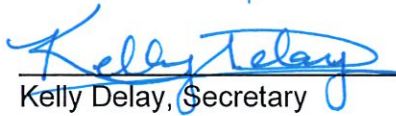
**Chairman Martin discussed** the future of the Twin Oaks Golf Course. He also urged the Planning Commissioners attend the scheduled Douglas County Public Hearing on December 15, 2021, to establish a quorum to discuss the Hamm Quarry CUP.

**VII. WORK SESSION**  
A. None

**Planning Commissioner Young made a motion to adjourn the meeting**, motion seconded by Planning Commissioner Harger, all ayes, motion carried, 6-0.

Meeting adjourned 7:38 pm.

  
\_\_\_\_\_  
Grant Martin, Chairman

  
\_\_\_\_\_  
Kelly Delay, Secretary