

**AGENDA
PLANNING COMMISSION
CITY OF ROELAND PARK, KANSAS
ROELAND PARK
4600 W. 51ST STREET
OCTOBER 16, 2018 6:00 PM**

- I. Roll Call**
- II. Approval of Minutes**
 - 1. Minutes - 9.18.2018
- III. Public Hearing**
 - 1. Recreational Vehicle, Boat Parking on Driveway
- IV. Action Items**
- V. Discussion Items**
- VI. Other Matters Before the Planning Commission**
- VII. Adjournment**

Scheduled Meeting Dates

Item Number: **Approval of Minutes- II.-1.**
Committee **10/16/2018**
Meeting Date:



City of Roeland Park
Action Item Summary

Date:
Submitted By:
Committee/Department:
Title: **Minutes - 9.18.2018**
Item Type:

Recommendation:

Details:

Financial Impact

Amount of Request:	
Budgeted Item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

ATTACHMENTS:

Description	Type
☐ Minutes - 9.18.2018	Cover Memo

PLANNING COMMISSION MINUTES
CITY OF ROELAND PARK
4600 W 51st Street, Roeland Park, KS 66205
September 18, 2018, 7:00 P.M.

The Roeland Park Planning Commission met on September 18, 2018, in City Hall, 4600 West 51st Street.

Chair Nielsen declared a quorum and called the meeting to order.

Present: Paula Gleason Mark Kohles Darren Nielsen Bill Ahrens
 Mike Hickey Kyle Rogler Pete Davis

Staff: Jennifer Jones-Lacy, Assistant City Administrator
 John Jacobson, Building Official
 Steve Maurer, City Attorney

I. ROLL CALL

Ms. Jones-Lacy called the roll and all Commissioners were present

II. MINUTES

1. June 19, 2018, Planning Commission Meeting Minutes

MOTION: COMMISSIONER GLEASON MOVED AND COMMISSIONER KOHLES SECONDED TO APPROVE THE JULY 17, 2018, PLANNING COMMISSION MEETING MINUTES.
(MOTION CARRIED 7-0)

Pete Davis, representing Ward 1, introduced himself to the Commissioners who then welcomed him to the board.

III. PUBLIC HEARING

1. Aldi's Final Development Plan

Mr. Nielsen opened the public hearing.

Building Official Jacobson said representatives from Aldi were present for questioning. Residents were notified of the upcoming project and he has not received any feedback from the surrounding neighbors with any concerns or complaints. Aldi is required to complete a new development plan because the existing structure will be demolished and a newer substantially aesthetically structure will be built in its place. The construction project will also include more landscaping, greater accessibility and better drainage.

Commissioner Kohles asked about the City's requirement for one percent for art to accompany construction in the City. Mr. Jacobson said as a redevelopment project the one percent for art is required.

Ryan Simmons, Director of Real Estate for Aldi - Olathe Division, added that the tentative area planned for the artwork will be on the retaining wall and will dress up the visible east side of the property. The plan is

to include a type of mural to discourage graffiti. The redesigned Aldi is a new prototype going up around the area.

Ms. Jones-Lacy added that the work on Roe Lane will be completed before this project begins and the hope is the new Aldi will be complete before the Roe 2020 street project begins.

The next steps are for the Planning Commission to make a recommendation to the City Council. The Council will hear about this project at their October 1st Workshop. Ms. Jones-Lacy recommended the Planning Commissioners try to attend the meeting since the Governing Body may have questions related to the project. The Workshop is scheduled to begin at 6 p.m. and she will put this item at the top of the agenda for their convenience.

As there were no public comments, Mr. Nielsen closed the public hearing.

MOTION: COMMISSIONER AHRENS MOVED AND COMMISSIONER HICKEY SECONDED TO APPROVE RECOMMENDING THE PROJECT PLAN FOR APPROVAL TO THE ROELAND PARK CITY COUNCIL. (MOTION CARRIED 7-0)

IV. ACTION ITEMS

There were no items discussed.

V. DISCUSSION ITEMS

1. Recreational Vehicle, Boat Parking in Driveway

Recreational Vehicle (RV) and Boats

Ms. Jones-Lacy brought up for discussion code enforcement-related items that presented at a Governing Body Workshop related to recreational vehicles and boats in driveways, on-street parking in residential districts, and RV permits.

In regards to recreational vehicles and boats in driveway, a Chapter 16 item, this was brought to the attention of staff by several residents. Current City regulations state that a boat can be parked in a driveway for 72 hours. There is no limit, however, on how many times this can happen in any given month. Wade Holtkamp, the City Codes Enforcement Officer, made a recommendation to look at Prairie Village's ordinance and allow 7 days of parking in any 30-day period. The Council preferred Overland Park's ordinance which allows two 48-hour occurrences in any 30-day period and that is the recommendation they made to the Planning Commission. Ms. Jones-Lacy said there were residents at the Workshop meeting who also spoke in favor of Overland Park's code.

Ms. Jones-Lacy also stated that the resident who parked his boat in the driveway is a fisherman and may have at times extended the allotted stay a couple of times and feels he has become more of a target and is being monitored closely by his neighbors.

After a brief discussion, Commissioner Ahrens said he didn't believe they need to change the entire code when it is not a city-wide problem and because a few neighbors are complaining about one resident.

Ms. Jones-Lacy said staff has made the recommendation to change the code and that Mr. Holtkamp is of the opinion that the code as it stands is difficult to enforce and it is better to be in the middle of restrictiveness on these topics. Ms. Jones-Lacy said she will report back at the next meeting on how many incidents related to this occur in a year.

On-Street Parking of Non-Motorized Items

Currently there is nothing in the code that prevents on-street parking of trailers on the street. There was discussion whether a permitting process to allow a contractor park in front of the residence where the work is being done is an option. There was also some discussion of residents who are contractors and park their vehicles at their own residence when they're not working. Staff recommends considering a restriction for parking these items on the street not to extend so many days in a 30-day period. They are not entirely sure what that will look like and the item can be discussed again at the next meeting.

Mr. Jacobson did say they need to establish a timeline window so that Mr. Holtkamp can actually enforce the code. He too will research and provide options at the next meeting.

Special RV Permits

Ms. Jones-Lacy said RV parking in the City has been a hot topic on NextDoor recently. They currently do not have a permitting process to allow for visitors to the City to be able to park their RV at a residence. Staff recommendation is to allow for permitting under Neighborhood Services for a period of 7 days not to exceed two times per year. They would also require the resident to fill out an application or permit request. Currently no fees are being discussed at this point.

VI. OTHER MATTERS BEFORE THE PLANNING COMMISSION

1. Comprehensive Plan Update

Roeland Park has been awarded the Planning Sustainable Places Grant through Mid-America Regional Council (MARC). Staff is recommending a delay of putting out an RFP to begin the projects as MARC is leading the charge on this. They believe the earliest they can start to issue the RFQ is in March or April of 2019 depending on MARC's process. There are quite a few projects coming up and there is a desire not to overwhelm the residents with meetings and soliciting input as well as not overloading staff with overlapping projects. They want to ensure they are giving adequate time to all the parts.

There will also be a joint meeting with the City Council in November and Mr. Jacobson has put together seven or eight items for discussion which will be made available at a later time.

VII. ADJOURNMENT

MOTION: COMMISSIONER KOHLES MOVED AND COMMISSIONER GLEASON SECONDED TO ADJOURN. (MOTION PASSED 7-0)

(Roeland Park Planning Commission Meeting Adjourned)

Item Number: Public Hearing- III.-1.
Committee 10/16/2018
Meeting Date:



City of Roeland Park

Action Item Summary

Date: 8/31/2018
Submitted By: Wade Holtkamp/Jennifer Jones-Lacy
Committee/Department: Neighborhood Services
Title: **Recreational Vehicle, Boat Parking on Driveway**
Item Type: Discussion

Recommendation:

Staff recommendations

Recreational Vehicles/Boats in Driveways

Based on a comparison of our City Code with neighboring cities, we offer the least restrictions. Staff recommends the time period allowed to park a recreational vehicle in a driveway be restricted to 7 days per 30 day period. The previous ordinance allowed citizens to park a boat in a driveway for 72 hours consecutively and then once the boat is moved the clock is reset. Conceivably, a boat could be parked in a citizen's driveway for the entire month. This change will allow citizens to store boats in their driveways for up to 7 days per 30 day period.

After initial review, the City Council prefer to adjust the ordinance to be more in line with Overland Park's Ordinance which allows for two occurrences of 48 hours per 30 day period.

On-Street Parking in Residential Districts (14-214)

Staff recommends the Governing Body restriction parking for longer than two hours of RVs, unattached or attached trailers, or watercraft on-street in residential areas between the hours of 12:01 a.m. and 6 a.m.

Currently staff has not experienced any complaints concerning contractor parking outside of normal working hours. Parking of contractor vehicles is typically handled on a case by case basis. As such, no changes in this section of code would be recommended by staff at this time.

Should the council decide that formal criteria should be put in place to regulate any potential issue regarding contractor parking, staff would recommend on street parking

associated with permitted work on or in an adjoin property should be limited to two working days. Should the contractor require additional parking time, reasonable accommodation should be pursued under the existing right of way permit process under the Director Public Works office.

Special RV Permits

Staff recommends we allow visitors to park their RVs in driveways for up to 7 days, not to exceed two times a year. Applications for waivers will be available at City Hall and approved by the City Administrator or their designee.

All items impacting Chapter 16 will need to go before the Planning Commission for a recommendation to City Council prior to being approved via ordinance. Staff recommends sending all items to the Planning Commission for review as even the items outside of the zoning code are interrelated.

Details:

On Sept. 3rd, the City Council heard a presentation from staff regarding several items that either fall within Chapter 16 or are related to items in the Zoning Code. The first item below was raised at the request of residents. The other two items were requested in the past for review and as such, staff suggested reviewing all items together. The item regarding on-street parking is located in Chapter 14, Streets and Traffic. Regardless, the Planning Commission can still issue a recommendation, but that recommendation would not be subject to the standard rules regarding Council adoption of the Commission's recommendation (i.e. need 2/3 majority to override).

A description of the items is below.

Recreational Vehicles/Boats in Driveways

Update for Planning Commission

Planning Commissioners asked about the frequency of complaints on this issue and in the past year, Code Enforcement has fielded only two complaints at the same address.

Staff updated this report to provide more information as requested. The below definitions pertain to the discussion.

Motor vehicle is a self-propelled vehicle, commonly wheeled, used for the transportation of people or cargo.

Passenger vehicle is a car or truck, used for passengers, excluding buses.

Commercial vehicle is any type of motor vehicle used for transporting goods/cargo or paying passengers.

Recreational vehicle (RV) is a motor vehicle or trailer which includes living quarters designed for temporary accommodation. Types of RVs include motor homes, camper vans, caravans (also known as travel trailers and camper trailers), fifth-wheel trailers, popup campers and truck campers.

Watercraft are water-borne vehicles including ships, boats, hovercraft. Watercraft usually have a propulsive capability (whether by sail, oar, paddle or engine).

In August 2017, staff received a report from citizens on 58th Street stating that a neighbor was storing his approx. 17 foot bass fishing boat in his driveway. The resident was leaving the boat parked full time in the driveway. Staff contacted the neighbor and informed him of the violation. Per City Code a boat can be parked in a driveway for up to 72 hours at a time for the purpose of loading and unloading. A driveway should not serve as a long term storage area for boats. After staff made contact, the neighbor removed the boat and made arrangements to store the boat in an offsite storage facility.

In May 2018, citizens on the same street contacted staff and reported that this same neighbor began storing his fishing boat again in his driveway. Reports indicated that he was exceeding the 72 hour threshold by 1-3 days. Staff contacted the neighbor and performed surveillance and started the countdown at time of witness. By the 72 hour mark, the neighbor had already moved the boat, which is why a new codes case was not opened this year.

Due to the boat being in the neighbor's driveway, staff was informed by the citizens of 58th street that his other three non-recreational vehicles were being parked on the street creating a driving hazard. The citizens of 58th street created a petition for City Council to review the current ordinance (attached) regarding recreational vehicles parked in driveways.

Sec. 16-613. - Accessory Uses and Structures; Development and Performance Standards.

(g) Outside storage and use of equipment, material or vehicles.

(1) Where permitted in residential districts, storage of not more than one of the following is permitted: a boat, a camping trailer, a pickup camper, a motor home, a recreational vehicle or a hauling trailer. Storage shall not occur in the front yard or the side or rear yard between the house and the street (see definition for "Front Yard"). On corner lots where the house is built diagonally across the corner, storage of these items shall not pass the front corner of the house structure on this or the adjacent lot whichever is more restrictive. Storage areas are not required to be paved. These items may be parked in the customary driveway for purposes of loading or unloading or trip preparation for a period of time not to exceed 72 hours during which these items are being loaded or unloaded.

(2) Except as may be otherwise provided in Chapter V or VII of the City Code, no other equipment, material or vehicle, other than operable passenger vehicles or motorcycles, shall be stored for more than 24 hours in a 30-day period in a residential district.

Currently, citizens are allowed to park their recreational vehicles in their driveway for up to 72 hours at a time and on the street 24 hours in a 30-day period. There is no limit on how many 72 hour periods are allowed during a month or calendar year. Staff performed the following review of neighboring cities to understand their ordinances regarding recreational vehicles parked in driveways.

City	Overview of Recreational Vehicles in Driveways Ordinance	
Mission, KS	(1) 48-hour occurrence per month by permit.	Most Restrictive
Fairway, KS	(12) 48-hour occurrences per	

	year.	
Overland Park, KS	(2) 48-hour occurrences during any 30-day period.	
Prairie Village, KS	(7) days in a 30-day period.	
Merriam, KS	(4) separate, 72-hour nonconsecutive occurrences during any 30-day period.	
Roeland Park, KS	Unlimited 72-hour occurrences	Least Restrictive

On Street Parking of Non-Motorized Items

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Residents parking take home commercial vehicles on city streets. Staff has received 3-4 complaints over the last year regarding oversized work vehicles parked in residential areas. Specifically, large pickup truck and trailers parked on the street overnight and on weekends. Staff found the reports related to two issues: 1) the oversized nature of the vehicles posing traffic issues on small city streets and 2) the visual impact to character of a residential neighborhood. The following code modification was modeled after similar ordinances in Leawood, KS and Prairie Village, KS. In addition, Staff found Fairway, KS also limits vehicles parked on city streets.

New Code Proposal:

PARKING OF RECREATIONAL VEHICLES, WATERCRAFT, AND TRAILERS; EXEMPTIONS. (a) Parking of Certain Vehicles Prohibited. No person shall park or store any recreational vehicle, attached or unattached trailer, watercraft, on any residential street of the city for more than two hours between 12:01 a.m. and 6:00 a.m.

Sec. 14-214(a) includes restrictions on parking of certain items (such as RVs, trailers, boats, etc) on a residential lots in areas fronting a public street for more than 72 hours. 14-214(b-c) states that oversized motor vehicles cannot be parked on residential streets. However, neither section addresses non-motorized vehicles such as a work trailer or a boat on a trailer that is less than 28 feet in length or less than 18,000 pounds being parked on the street. As it currently stands, a resident can park their work trailer or smaller nonmotorized boat or boat on a trailer on a residential street indefinitely. Staff recommends considering a restriction for parking these items on the street not to exceed so many days in a 30 day period.

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Sec. 14-214. - Parking in Residential Areas.

(a) Except as otherwise provided in subsection (d) of this section, and subject to the additional restrictions contained in subsection (b) of this section, no person shall park, stand or store a trailer; semitrailer, boat, bus, camper, recreational vehicle, mobile home (self-propelled or otherwise), truck, tractor, or other type of wheeled vehicle, other than passenger cars, motorcycles, bicycles, children's toys, garden carts and lawn equipment on any lot zoned for residential use to the street on which the property fronts than the established building line or lines on the lot for more than 72 hours.

(b) Except as otherwise provided in subsection (d) of this section, no person shall park, stand or store any oversized motor vehicle in an area zoned for residential use except in an enclosed building or garage. For purposes of this section, oversized motor vehicle means any of the following: any motor vehicle exceeding 28 feet in length; any motor vehicle with a licensed gross weight exceeding 18,000 pounds; or any motor vehicle with a chassis rated by the manufacturer as heavier than one ton.

(c) Except as otherwise provided in subsection (d) of this section, in areas zoned for residential use where on-street parking is otherwise permitted, no person shall park, stand or store on the street any motor vehicle which exceeds 7½ feet in width at its widest point.

(d) Exceptions to the provisions of this section may be authorized by a permit issued by the police department where such exceptions will not endanger the public safety or welfare of the residents of the area or motorists on the street. No such permit shall be granted for a period exceeding seven days.

Special RV Permits

Staff has received requests in the past from citizens requesting a waiver for a visiting relative/friend to park their RV in the citizen's driveway during the duration of the visitor's stay. Staff recommends we allow non-property owners to park their RVs in driveways for up to 7 days, not to exceed two times a year. Applications for waivers will be available at City Hall and approved the City Administrator or their designee. Section 14-214(d) states that exceptions to the provisions above can be authorized via permit from the police department. However, the Police Department does not regulate items in residential driveways and we have no such permit available currently. This would put the request for parking in driveways in the hands of administration and code enforcement and would be consistent with current regulation practices.

Financial Impact

Amount of Request:	
Budgeted Item?	Budgeted Amount:
Line Item Code/Description:	

Additional Information

How does item relate to Strategic Plan?

How does item benefit Community for all Ages?

ATTACHMENTS:

Description	Type
 Petition	Exhibit

We undersigned neighbors on W. 58th Street will appreciate the Council's consideration of tightening the City codes for parking boats and recreational vehicles in driveways so that the Roeland Park Code Enforcement Officer is able to enforce the code.

Some of us neighbors have met with Wade Holtkamp and have discussed two other neighboring cities' ordinances. We favor Overland Park's code which allows for parking recreational vehicles in the driveway "2 times in a 30 day period, for no more than 48 hours at a time."

We neighbors think that Prairie Village's ordinance of allowing recreational vehicles to be parked in a driveway for 7 days within a 30 day period is too lax. It could allow a boat/trailer to be parked in a driveway for 84 days out of a year. And if the 7 days ending in one month went back-to-back with 7 days beginning the next month, someone could park their boat in their drive for 14 days in a row.

We think this allows for excessive recreational vehicle parking in suburban neighborhoods.

Ardie & Gretchen Davis, 5206 W. 58th Street
Kevin White, 5223 W. 58th Street
George & Loretta Reising, 5200 W. 58th Street
Elise Gunter, 5112 W. 58th Street
Tom & Judy Hyde, 5113 W. 58th Street
Nancy Johnston, 5121 W. 58th Street
Kelsey Ridgway, 5117 W. 58th Street
Rob Poste, 5224 W 58th Street
Faira Craft, 5312 W. 58th Street
Linda & Mike Donnelly, 5207 W. 58th Street
Sasha & Logan Smith, 5213 W. 58th Street
Shirley Smart, 5800 W. 58th Street