

CITY OF CLEARWATER, SEDGWICK COUNTY, KANSAS

PLANNING COMMISSION MINUTES

November 7, 2006

The regular meeting of the City of Clearwater, Sedgwick County, Kansas, Planning Commission was held on Tuesday, November 7, 2006 at 7:00 p.m., in the Clearwater City Council Chamber, City Hall at 129 E. Ross Avenue, Clearwater, Kansas.

The following members were present: Don Berntsen, Lonnie Stieben, La Donna Lawrenz, Mike Machart, and Les Langston. George Rudy was absent. The following City staff members were present: Kent Brown, City Administrator; Cheryl Wright, City Clerk; and Janet Amerine, City Attorney.

1. Approval of Minutes of the Meeting of October 3, 2006

MOTION: The motion to approve the minutes was made by Don Berntsen, seconded by Mike Machart and passed unanimously.

2. Zoning Change Stars & Stripes From R-1 to C-2

City Administrator Brown stated that when any property is annexed into the City of Clearwater the default zone is R-1. A hearing is required to change the default zone to the correct zone for the use of the property. Brown continued to state that the hearing requirement gives neighboring property owners an opportunity to express any comments on the use of the property. Brown continued to state that the zone could be changed at the time of annexation if the procedures are met to also hold a public hearing. Brown stated that letters were mailed to all property owners within 200 ft. and did not receive a response from anyone. Brown stated that Stars and Stripes are operating a convenience store, which is commercial.

MOTION: LaDonna Lawrenz made a motion to recommend to the Council to change the zoning for Stars and Stripes to C-2. Don Berntsen seconded the motion and it passed unanimously.

3. Zoning Change Sewer Pond Property From R-1 to I-1

City Administrator Brown stated that twenty acres of the sewer pond property is the same as Stars and Stripes where the default zone is R-1 and the use of the property is better suited for I-1. Brown stated that technically public facilities can fit in any zone, but for

consistency there is a request to change the zone from R-1 to I-1.

MOTION: Les Langston made a motion to recommend to the Council the change of zoning for the sewer pond property to I-1. LaDonna Lawrenz seconded the motion and it passed unanimously.

4. Other Matters and Concerns

Mike Machart stated that at the last meeting there was a discussion on tent garages or tent storage areas. Machart referenced page 102 of the Clearwater Zoning Ordinance quoting "Tents: No tent, except play tents for children, shall be used for any purpose except those authorized by the Governing Body". Machart asked if they are tents or structures? Berntsen stated that the concern is are they anchored enough for a 90 mile an hour windstorm. After a lengthy discussion the Planning Commission requested City Administrator Brown to advise the City Council that there is an issue developing regarding tent garages or tent storage areas. The Planning Commission is planning to put together a recommendation to the Council that is a little bit more than is in the Zoning Ordinance. At the next Planning Commission staff will provide a better definition of tents and possibility how other cities are handling the tents.

5. Adjournment

With there being no further business to come before the Commission, Mike Machart made a motion to adjourn the meeting. The motion was seconded by Don Berntsen and passed unanimously.

CERTIFICATE

State of Kansas }
County of Sedgwick }
City of Clearwater }

I, Cheryl Wright, City Clerk of the City of Clearwater, Sedgwick County, Kansas, hereby certify that the foregoing is a true and correct copy of the approved minutes of the November 7, 2006 Planning Commission meeting.

Given under my hand and official seal of the City of Clearwater, this 5th day of December 2006.

Cheryl S. Wright, City Clerk