

CITY OF CLEARWATER, SEDGWICK COUNTY, KANSAS

PLANNING COMMISSION MINUTES

JULY 1, 2008

The regular meeting of the City of Clearwater, Sedgwick County, Kansas, Planning Commission was held on Tuesday, July 1, 2008 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: Ryan Shackelford, Don Berntsen, Mike Machart, and Les Langston. George Rudy and Lonnie Stieben were absent. The following City staff members were present: Kent Brown, City Administrator, Jodi McBee, Deputy City Clerk, and Janet Amerine, City Attorney. Also present at the meeting Harlan Foraker, Certified Engineering Design.

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1. Approval of Minutes of the Meeting of June 3, 2008

MOTION: The motion to approve the minutes was made by Les Langston seconded by Mike Machart and passed unanimously.

2. Change of Zoning Hearing

Don Berntsen opened the public hearing at 7:06pm. City Administrator Brown stated that two lots in the Prairie Meadows addition needed zoning changes. Lots 7 and 10 were annexed into the city zoned as R-1, which is how all properties are zoned when annexed into the City of Clearwater. Both properties, Justin & Charity Miller at 8039 Butterfly Court and Brian & Amber Cotton at 8051 Butterfly Court, requested zoning changes to R-L, which is the zoning allowing more acreage, larger accessory buildings and more livestock. Brown asked for any comments from the commission. With no question or comment, Don Berntsen closed the public hearing at 7:14pm.

MOTION: Mike Machart made a motion to recommend to City Council to change zoning for Lots 7 & 10, in the Prairie Meadows Addition, commonly known as 8039 Butterfly Court & 8051 Butterfly Court from R-1 to R-L. Les Langston seconded the motion and it passed unanimously.

3. Final Plat Clearwater Business Park

Harlan Foraker presented the final plat for 117 acres of the Clearwater Business Park with the following changes requested by the Planning Commission from the June 3 meeting:

- 1) Additional utility and drainage easement on south side

- 2) Additional utility and drainage easement on east border
- 3) Existing water and sewer lines shown on plat
- 4) Names of adjacent property owners shown on plat
- 5) Drainage plan completed

Foraker reviewed the drainage concept stating that adding the 3 drainage ponds would decrease peak runoff from the area 16% at the northeast pond, 54% at the southeast pond and 63% at the southwest side. The first phase will start with the southwest pond being dug at the time streets are installed, so the pond would be available for drainage at initial construction of the development. The southeast pond would be dug at initial construction of the second phase. Berntsen asked if the drainage ponds would be a loss of land sales. Foraker stated that ponds could be considered part of the lot and the buyer would be responsible for the maintenance or the ponds could be considered reserves and the city would maintain them. Foraker also reviewed a possible sewer tie in from Chisholm Ridge. He felt it was best to attach to the sewer line from the Chisholm Ridge addition as the line on Ross was already handling enough flow. Foraker stated he would work with Kent Brown to finalize the sewer concept. Janet Amerine stated the city had goals to connect 135th St and 103rd St near the High School with an accessory road. The east easement would allow a prime location for a future road. Don Berntsen made a comment he felt diverting the road would continue to decrease traffic flow through the city. City Attorney Amerine stated traffic to the park would most likely not go through the city anyway even if the road was not there. Foraker stated that if the city wasn't sure it wanted to designate the east property line as a road, a contingent easement could be placed on the east side as a possible future road. Foraker continued to state that the governing body could later designate the easement as a road if needed. The easement would increase from 20 feet to 80 feet, with the utilities and drainage also included in the easement. Foraker stated he thought that the contingent easement would show the city was thinking ahead and would prevent the future condemnation of the property to create the road. Foraker asked for some direction on whether the drainage ponds needed to be designated as reserves or easements. City Administrator Brown stated he felt the SE and SW ponds would work better as reserves since they served the majority of the lots and that the NE pond would work better as an easement since it just served one lot. The commission agreed with Brown. By consensus, the Planning Commission agreed that the conditions from the preliminary plat approval had been met and the final plat could be approved with the additional contingent easement on the east side of the property and the 2 reserves for the SE and SW drainage ponds and the easement for the NE drainage pond. Kent Brown handed out Final Plat Review worksheets for review before approval of final plat.

MOTION: Don Berntsen made a motion to approve final plat of the Clearwater Business Park with conditions:

- 1) 80 foot contingent easement on east property line
- 2) Reserves for southwest and southeast drainage ponds.

Ryan Shackelford seconded the motion and it passed unanimously.

4. Other Matters and Concerns

Harlan Foraker handed out preliminary plat maps of Park Glen IV Addition for possible approval. Foraker reviewed the water, sewer and drainage plans. A drainage pond is to be added to serve the new phase and another future phase. Two thousand feet of additional water lines will be added. Les Langston questioned a new short sewer line on the west side of the new addition. Foraker explained it was to tie in to existing sewer line to allow a single lot to have sewer, without the tie in the property would not have access to the sewer main. Brown stated that since this plat map was just handed out tonight, that he felt the preliminary and final plat should be approved at the next meeting. Foraker requested a special meeting to approve the preliminary plat. There was a brief discussion as to when a meeting could be held, and by consensus it was approved to move the next Planning Commission meeting to the last Tuesday of July, which is July 29.

Harlan Foraker left the meeting.

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 Ryan Shackelford and passed unanimously.

CERTIFICATE

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

I, Jodi McBee, Deputy 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 July 1st Planning Commission meeting.

Given under my hand and official seal of the City of Clearwater, this 2nd day of September.

Jodi McBee, Deputy City Clerk