

CITY OF CLEARWATER, SEDGWICK COUNTY, KANSAS

PLANNING COMMISSION MINUTES

APRIL 6, 2010

The regular meeting of the City of Clearwater, Sedgwick County, Kansas, Planning Commission was held on Tuesday, April 6, 2010 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: Lonnie Stieben, George Rudy, Mike Machart, and Ryan Shackelford. Les Langston 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 February 2, 2010

MOTION: The motion to approve the minutes was made by George Rudy seconded by Ryan Shackelford and passed unanimously.

The Planning Commission meeting for March 2, 2010 was cancelled due to lack of a quorum.

2. Inquiry on Proposed Change of Zoning

City Administrator Brown explained that he received an inquiry concerning change of zoning on the property on the north side of 135th between Diagonal Road and 95th across from the Mulvane Coop. The original request was for a zoning change with commercial frontage along 135th and Diagonal Road to the Church of Christ with light industrial behind the commercial. Brown discussed the request with John Dugan and told him it would have to be platted. Before going thru the expense of the platting process Dugan wanted to check to see if the change would be well received. Brown stated that there would have to be some type of a retention pond to keep the water from leaving the property at the same rate as it currently leaves. City Attorney Amerine stated that the Planning Commission is not bound by any answer given on the property at this time. Brown discussed that water is already available on the property and there is sewer to the church property. George Rudy questioned if that line would be large enough to handle the expansion. Brown stated that probably a separate sewer line would have to go under the railroad tracks. Lonnie Stieben stated he wanted a discussion concerning that if the area is used for commercial and industrial where is the next area for housing development. Brown stated that with the Chisholm Ridge, Park Glen, and other property that is not developed there is room for around 200 houses. George Rudy stated that with the Dugan property being across from the Mulvane Coop he thinks it is a good location

for commercial and industrial. The Commission discussed at length various properties and the problems of getting sewer to the properties. By consensus, with the information presented the Commission had no problem with the proposal.

4. Animal - Proposed Recommendation to Council

(Proposed recommendation to be sent to the City Council)

To: Mayor and Governing Body

From: Clearwater Planning Commission

Subject: Recommendations on animal ordinance

At several meetings over the past year, the planning commission discussed changes to the animal ordinance as Council requested. Animal ordinances can be a contentious issue for citizens and Councils. City staff took different sections of the animal code for the planning commission to review. Here are the following recommendations:

Domestic fowl (for example – chickens, geese or ducks) – the ordinance is adequate as is.

Livestock (for example – sheep, goats, cattle and horses) – the planning commission recommended that limiting livestock to one animal per half acre would be best in zoning districts where they are allowed.

No permit or license fee would be necessary for fowl or livestock.

Cats and dogs – planning commission recommends to change the ordinance to read 3 dogs and 3 cats or a combination with a maximum total of 5 pets over the age of 6 months.

The planning commission did not recommend changes to any other portion of the animal ordinance – did not discuss breeds, licensing, exotic animals, or cruelty to animals except to see there was no consensus for changes.

*Signed - _____
Planning Commission Chairman*

Lonnie Stieben stated it has been awhile since the Commission discussed animals and questioned if anyone had any changes or discussion items. Mike Machart questioned when Wichita has such a controversy over dangerous dog breeds and Clearwater has nothing in the ordinance about dangerous breeds. Ryan Shackelford stated that there are more dogs in larger cities and there have not been any problems with any certain breed of dogs in Clearwater.

MOTION: Mike Machart made a motion to approve the recommendation on animals as written and to present to the City Council. George Rudy seconded the motion and it passed unanimously.

5. **Review Sedgwick County Revised Process for Post-Annexation Hearings**

City Administrator Brown reviewed that Sedgwick County is revising the process for post annexation hearings. It will change the requirement to have a plan to get service to a property that is annexed in three years instead of five years. This is for properties that are not adjacent to the City. For example, the brush dump, and the properties north of town that were annexed at the time the water line was installed would require this process. By consensus, the Planning Commission had no problem with the changes by Sedgwick County.

6. **Review Proposed Change to Unlawful Parking**

City Administrator Brown stated that quite some time ago the Council requested that the ordinance on “Unlawful Parking” be reviewed by the Planning Commission. It was discussed and decided that the Police Chief should be involved by letting the Planning Commission know what can be enforced and what would be difficult to enforce. Interim Police Chief Gene Garcia changed the way of identifying trucks by changing from weight to whether it is a commercial vehicle. The Planning Commission reviewed the suggestion of Chief Garcia and discussed them at length. It was decided to invite Garcia to attend a meeting for a discussion concerning “Unlawful Parking”.

7. **Other Maters and Concerns**

City Clerk Wright stated that appointments are in May as usual and the terms for Les Langston and Ryan Shackelford are up in 2010. Mike Machart stated that Les Langston’s health would not permit him to be appointed again. Ryan Shackelford stated he would like to be appointed for another three (3) year term.

8. **Adjournment**

With there being no further business to come before the Commission, Lonnie Stieben made a motion to adjourn the meeting. The motion was seconded by George Rudy 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 April 6 Planning Commission meeting.

Given under my hand and official seal of the City of Clearwater, this 4th day of May 2010.

Cheryl Wright, City Clerk