

CITY OF CLEARWATER, SEDGWICK COUNTY, KANSAS

**PLANNING COMMISSION MEETING
MINUTES**

NOVEMBER 1, 2011

The regular meeting of the City of Clearwater, Sedgwick County, Kansas, Planning Commission was held on Tuesday, November 1, 2011, at 7:00 p.m., in the Clearwater City Council Chamber, City Hall, 129 E. Ross Avenue, Clearwater, Kansas.

The following members were present: Ryan Shackelford, Mike Cass, Mike Machart, Shawna Perry, and George Rudy. Lonnie Stieben and Billy Lane were absent. The following city staff members were present: Kent Brown, City Administrator; Liza Donabauer, City Clerk, and City Attorney, Janet Amerine. The following individuals also attended the meeting: Rob Hartman (PEC), and Ed Mikesell (Duckhorn Properties).

1. Approval of the Minutes of the Regular Meeting of October 18, 2011

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

2. Public Hearing for a Change of Zoning Request at 204 S. Tracy Ave; Additional Parking for Mortuary

The public hearing was opened at 7:05 p.m. Kent Brown, City Administrator, stated that the neighboring property owners were notified of the request for a change of zoning. A notice of tonight's public hearing was published in the City's official newspaper. Brown stated that the property adjacent to the mortuary is currently zoned as R1. Presently, there is a home on the adjacent property. The intent is to tear down the house on the adjacent property to provide additional parking for the mortuary. The request is to change the zoning from R1 to C2 (General Commercial) and combine the properties. There are screening requirements between commercial and residential properties. Brown stated that he will notify Terrance and Kathy Shinkle about the screening requirements. No comments were heard from the public and the hearing was closed at 7:10 p.m.

MOTION: Ryan Shackelford moved to recommend approval to the City Council of the change of zoning from R1 to C2 at 204 S. Tracy Avenue. The motion was seconded by Mike Cass and carried unanimously.

3. Final Plat Review for Indian Lakes Addition

Kent Brown, City Administrator, distributed a Final Plat Review worksheet to the Planning Commission members. The worksheet provided a checklist of required

information for the final plat process. Brown stated that the proposed Indian Lakes Addition has met all of the conditions of the Final Plat Review. Rob Hartman, PEC, stated that they modified access control along Ross Ave to the commercial lots. George Rudy asked where the man made reservoir along the north side of the commercial lots would drain into. Hartman responded that they would collect and drain into Reserve B before reaching the outlet at the southeast corner that drains the entire property underneath Ross Avenue.

MOTION: Mike Machart moved to recommend approval of the final plat of the Indian Lakes Addition to the City Council. The motion was seconded by Ryan Shackelford and carried unanimously.

4. **Discuss Wording for Zoning Amendment RE: Shipping Containers, Trailers, Semi-Trailers, and Other Similar Storage Boxes Utilized as Accessory Structures in Residential Areas**

Kent Brown, City Administrator, asked that this item be tabled for discussion at the next Planning Commission Meeting. Shawna Perry asked if there are property owners waiting on a ruling regarding this issue. Brown stated that the City Council referred this item to the Planning Commission for additional ruling. City Attorney Janet Amerine clarified that until an amendment is adopted, a property owner's use of a storage container as an accessory structure could fall through the cracks of the code. The sooner this amendment is approved, the sooner the City will be able to address this type of issue. The City can regulate any building of any size through zoning requirements. There should be a section within the City's zoning code that should define shipping containers and the type of control the City would have of their use. Ryan Shackelford stated that the wording of the amendment should be well-thought out. He asked City Attorney Amerine whether property owners proposing to use shipping containers as permanent storage structures would be "grandfathered" prior to the amendment's approval. Amerine stated that property owners would be unrestricted in their use of a shipping container as an accessory building until the day the Council approves a zoning amendment.

5. **Adjournment**

MOTION: 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 George Rudy. The motion passed unanimously.

CERTIFICATE

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

I, Liza Donabauer, 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 1, 2011 Planning Commission meeting.

Given under my hand and official seal of the City of Clearwater, this 1st day of November, 2011.

Liza Donabauer, City Clerk