

**CITY OF CLEARWATER, SEDGWICK COUNTY, KANSAS**

**PLANNING COMMISSION MEETING**

**MINUTES**

**MARCH 6, 2012**  
**(Approved 4-17-12)**

The regular meeting of the City of Clearwater, Sedgwick County, Kansas, Planning Commission was held on Tuesday, March 6, 2012, at 7:00 p.m., in the Clearwater City Council Chamber, City Hall, 129 E. Ross Avenue, Clearwater, Kansas.

The following members were present: Lonnie Stieben, Billy Lane, Mike Cass, Mike Machart, George Rudy, and Ryan Shackelford. Shawna Perry was absent. The following City staff members were present: Kent Brown, City Administrator; Liza Donabauer, City Clerk; and Janet Amerine, City Attorney.

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**1. Approval of the Minutes of the Regular Meeting of February 7, 2012**

**MOTION:** The motion to approve the minutes was made by George Rudy and seconded by Billy Lane. The motion passed unanimously.

**2. Second Draft of Amended Subdivision Regulations**

City Administrator Kent Brown distributed a draft of the Notice of Public Hearing to take public comment regarding the amended Subdivision Regulations. He also included a draft of the Ordinance for their review. The first section is definitions. Lonnie Stieben stated that he would recommend adding retention pond to the list of definitions to clarify the difference between detention and retention ponds. He described detention ponds as a temporary holding, which is often confused with retention ponds. City Attorney Janet Amerine stated that she did not like the proposed parking strip definition and would prefer the term changed to reflect an easement. Discussion ensued to change the term to “utility strip”. She referred to Section 5, 12. E., which would also need to be changed from parking strips to utility strips.

Amerine stated that she did not like the definition of petition. She stated that it is too long and she felt the first sentence was adequate: “A legal instrument which serves as the basis for initiation of a public improvement project”. She cautioned that the proposed definition of reserve is too long and restrictive. She stated that covenants typically spell out all restrictions. She proposed a shortened version of the definition. The subdivision regulations refer to a restrictive covenant, which discusses how the rules apply to the reserve. Brown stated that the regulations do say that the City does require a copy of the restrictive covenants in Section 4.5; however, this language would require it to be written on the plat document itself.

Lonnie Stieben suggested adding language to the regulations referring to setbacks in

cul-de-sacs. Stieben also stated that he would like more information about double set-backs on corner lots.

Brown and Amerine suggested bringing a third draft of the subdivision regulations to the next meeting to include the changes that were discussed today.

**MOTION:** Mike Machart made a motion to direct staff to develop another draft to be reviewed by the Planning Commission at its next meeting. George Rudy seconded the motion. The motion carried unanimously.

**3. Other Matters or Concerns**

Lonnie Stieben stated that he and his wife are moving to a house about three miles west of the Clearwater golf course. Given the new location, he questioned whether he would still qualify as a member of the Planning Commission. Currently, Billy Lane and Shawna Perry are the two designated out-of-town Planning Commission members. Brown stated that staff would research the bylaws to determine whether Stieben would still be able to participate as a member of the Planning Commission.

**4. Adjournment**

**MOTION:** With there being no further business to come before the Commission, Billy Lane made a motion to adjourn the meeting. The motion was seconded by Ryan Shackelford and passed unanimously.

Meeting adjourned at 8:08 p.m.

**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 March 6, 2012 Planning Commission meeting.

Given under my hand and official seal of the City of Clearwater, this 17th day of April, 2012.

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Liza Donabauer, City Clerk

UNAPPROVED