

CITY OF CLEARWATER, SEDGWICK COUNTY, KANSAS

PLANNING COMMISSION MEETING

MINUTES

MAY 15, 2012

The regular meeting of the City of Clearwater, Sedgwick County, Kansas, Planning Commission was held on Tuesday, May 15, 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: Billy Lane, Mike Cass, Mike Machart, and Shawna Perry. George Rudy and Ryan Shackelford were absent. The following City staff members were present: Kent Brown, City Administrator; and Liza Donabauer, City Clerk.

1. Approval of the Minutes of the Regular Meeting of April 17, 2012

MOTION: The motion to approve the minutes was made by Billy Lane and seconded by Mike Cass. The motion passed unanimously.

2. County Conditional Use Request For An Accessory Apartment On RR Rural Residential Zoned Property (Between 71st & 79th Street South on East Side of 103rd Street West)

Dale Miller, Metropolitan Area Planning Commission, explained that this conditional use request is within the City's area of influence. Therefore, the Clearwater Planning Commission is to hear the request, and then make a recommendation to the City Council and the County Planning Commission.

Miller explained that under the zoning code, the accessory apartment simply means an additional single dwelling to be used as an apartment. The 8.737 acre property would accommodate a principal structure and an accessory structure. He clarified that the accessory apartment would not be a multi-family unit. The zoning code would require that the accessory apartment have a similar appearance to the main structure. The separate structure could not be sold as a separate parcel at a later date. Under code, the sewer and water system is supposed to service both homes. The property owners plan to build a larger structure on the property and the original structure would become the accessory apartment. They are asking for a waiver on tying the lagoon to both structures. The elevation and terrain of the property would make it significantly difficult to utilize a lagoon system. There is a creek that runs through the southern part of the property. Miller explained that the code allows for a waiver. County staff is recommending approval of the conditional use permit and waiver to allow for a separate water and sewer system for each structure.

A representative from the Girl Scouts of Kansas Heartland stated that the Girl Scout Camp property is located south of the property owned by Dennis and Julie Rhoads. He stated that he would like to know what the sewer solution is since the Girl Scouts utilize the creek along the southern part of the Rhoads property. Julie Rhoads, property owner, stated that they would abide by the County code. She explained that currently there is a lagoon on the northern part of their property. A flood plain covers a lot of the footage from the creek to the north. Because of the terrain of the property, they are hindered with where they could place a lagoon system. She stated that the County will require soil testing which will dictate the type of septic or lagoon system to be used on the property. Billy Lane asked the property owners if they have any idea on where the sewer system would be located on the property. Julie Rhoads stated that they do not know what the County will require. The new lagoon would be on the south side of the property, north of the floodplain and creek.

City Administrator Brown explained that after the public hearing has been closed for public comment, the Planning Commission would be asked to make a recommendation to the Metropolitan Area Planning Commission and City Council. Miller informed the Commission that their recommendation would be to approve, deny, or defer to a later date if the Commission feels there is some information missing from today's presentation. This case will be heard at the Thursday MPC Meeting. Because of the request for the waiver, this case would also go before the County Board of Commissioners.

Machart closed the public hearing at 7:21 p.m.

Machart asked for a motion making a recommendation. Billy Lane stated that his only concern is in regard to the location of the lagoon. Mike Cass stated that the County would determine the location and type of sewer system for the property.

MOTION: Mike Cass made a motion to recommend approval of the conditional use request for an accessory apartment on RR Rural Residential zoned property (between 71st and 29th Street South on east side of 103rd Street West). Billy Lane seconded the motion.

ROLL CALL VOTE: Lane yea, Perry yea, Machart yea, Machart yea. Four Yea.
Motion carried.

3. **Elect New Chairperson**

City Administrator Kent Brown explained that the officers of the Commission shall be elected at the first regular meeting in May. Officers shall hold their offices for one year.

MOTION: Shawna Perry made a motion to nominate Ryan Shackelford as the Planning Commission chairperson for 2012-2013. Billy Lane seconded the motion. The motion passed unanimously.

MOTION: Mike Cass made a motion to nominate Mike Machart as the vice-

chair of the Planning Commission for 2012-2013. Shawna Perry seconded the motion. The motion passed unanimously.

4. Amended Subdivision Regulations

City Administrator Kent Brown requested this item be tabled until the next meeting so that the City Attorney can be present.

5. Adjournment

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

Meeting adjourned at 7:29 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 May 15, 2012 Planning Commission meeting.

Given under my hand and official seal of the City of Clearwater, this 5th day of June, 2012.

Liza Donabauer, City Clerk