

City of Clearwater, Kansas
Sedgwick County
Planning Commission - **MINUTES**
February 2, 2021
Clearwater City Hall
129 E. Ross Avenue Clearwater, KS 67026

1. Call to Order

Commissioner Rudy called the meeting to order at 6:30 p.m.

2. Roll Call

Deputy City Clerk called the roll to confirm the presence of a quorum. The following members were present:

George Rudy, Ron Witt, Lyle Berntsen, Tex Titterington, Tanner Peissig were present. John Graham was absent.

Chad Berntsen, Resident was also present.

The following staff members were present:

Ron Marsh, City Administrator, Carol Reitberger, Deputy City Clerk.

3. Approve Minutes from the January 5, 2021 meeting

The motion to approve the minutes January 5, 2021 meeting was made by Commissioner Berntsen and seconded by Commissioner Titterington. The motion passed unanimously 5-0

4. Public Hearing – Consider a variance request for 217 N. Lee: accessory structure greater than 900 sq feet and side yard setback greater than 6 sq feet

City Administrator Ron Marsh stated that the property owner at 217 N. Lee is requesting a zoning variance to construct a 27 X 42 shop for a total of 1134 sq. feet.

The motion to approve the hearing opening was made by a roll call vote. The motion passed unanimously 5-0.

The hearing opened at 6:34 p.m.

The Board of Zoning Appeals is tasked with determining if the variance should be granted for the property owner. Based on the Clearwater Zoning Code five conditions have been identified for which the Board of Zoning Appeals should consider:

1. Uniqueness
2. Adjacent Property
3. Hardship
4. Public Interest
5. General Spirit/Intent

There was brief discussion about the 5 conditions.

Hearing closed at 6:40 p.m.

The motion to close the hearing was made by roll call vote. The motion passed unanimously. 5-0

The motion to approve the first variance request for an accessory structure exceeding 900 sq feet was made by Commissioner Peissig and seconded by Commissioner Titterington. The motion passed 4-0 with Commissioner Berntsen abstaining.

The second motion to approve the variance request for side yard setback of less than 6 feet was made by Commissioner Rudy and seconded by Commissioner Peissig. The motion passed 4-0 with Commissioner Berntsen abstaining.

5. Presentations: Comprehensive Plan RFP

- a. **Foster Design Associates**
- b. **Professional Engineering Consultants**

At 6:45 p.m. City Administrator Ron Marsh introduced David Foster and Debra Foster of Foster Design Associates LLC. Marsh stated they would give a presentation on working with the Planning Commission to update the Comprehensive Community Plan.

David Foster has extensive experience in both landscape architecture and planning. He has prepared Zoning regulations, subdivision Regulations, and Site Plan Review Guidelines, and has developed more than 80 Comprehensive Development Plans, helping communities plan for their future.

Debra Foster has planning specialties that include parks, pathways, and streetscapes carrying the design process through the city-wide master plans to construction details for individual projects.

The intent for Foster Design Associates is to coordinate closely with City Staff to manage an efficient and cost-effective update to Clearwater's existing Comprehensive Plan. To streamline Planning Commission review and input, draft revisions to the Comprehensive Plan can be distributed via email.

A public engagement process should not be necessary for this update since demographic and land use information are date-driven components of a comprehensive plan. Public participation in the planning process is mostly intended to help define community goals, and Clearwater's 2017 Strategic Plan has recently done that.

The first step in updating Clearwater's Land Use Plan is to map existing land use patterns in the City and its Planning Area. This task can be most efficiently accomplished by web-based resources. Files can be downloaded from the County GIS website to serve as a base map in combination with an examination of aerial photos and street view images that are available on the web. Then a onceover of the draft by City Staff can provide the local expertise to assure that all categories on the final map are current and accurate.

Foster stated that it is essential to the City's planning process to have a viable and legally defensible Comprehensive Plan in place that has been properly adopted and approved and has met all the detailed statutory requirements for success. Foster Design will prepare all the necessary documents needed to adopt an updated comprehensive plan, including public notices. If desired Foster Design Associates can attend all necessary meetings.

City Administrator and the Planning Commissions thanked David and Debra for presenting their program and making the trip to Clearwater.

At 7:15 p.m. City Administrator Ron Marsh introduced Mitchell Coffman and Kristen Zimmerman with Professional Engineering Consultants. Marsh stated they would give a presentation on working with the Planning commission to update the Comprehensive Community Plan.

Mitchell Coffman introduced himself and stated that PEC understands the market, the technology, the regulations, and the communities they serve. It is having the foresight to re-imagine the everyday into the extraordinary with practical, proactive, innovative solutions that save time, money and create value.

Kristen Zimmerman introduced herself and stated that her specialty is community engagement. PEC is known for their ability to effectively connect and engage with residents, business owners, and other stakeholders so that the Comprehensive Plan kickstarts community momentum.

Coffman stated that PEC have successfully completed comprehensive plans for several communities in South Central Kansas. They are familiar with Kansas requirements and pride themselves on designing customized approaches that address individual community needs while meeting state requirements.

In Phase 1 PEC will compile, review, and summarize keys points from Clearwater's land use related reports and plans and utilize 2020 GIS inventory for sewer and water lines. PEC would engage community leaders, residents, business owners and the community at large.

In Phase 2 PEC will compile more detail on priority items and review and update lower priority sections of the existing Comprehensive Plan. Examples of topics would include population projections, future land use, City utilities, transportation, community pride, quality of life, sense of community and short- and long-range fiscal responsibility.

In the end, PEC will guide the City through the approval process. They will provide the necessary presentations and workshops with Planning Commission and City Council.

6. Other Business

City Administrator Marsh stated that the Commission could vote for a new Chairman if needed. Commissioner George Rudy agreed to stay as Chairman for another year.

No Commissioner had any other business to discuss at this time.

7. Adjournment

With there being no other business, Commissioner Berntsen made a motion to adjourn the meeting and seconded by Commissioner Titterington.

The meeting adjourned at 7:50 p.m.

CERTIFICATE

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

I, Carol Reitberger, 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 February 2, 2021 Planning Commission meeting.

Given under my hand and official seal of the City of Clearwater, Kansas, this 2nd day of March 2021.

Carol Reitberger, Deputy City Clerk