



# PLANNING COMMISSION MEETING

Tuesday, April 13, 2021 at 7:15 pm

**MEETING LOCATION: 520 N. Commercial Ave**

(Council Chambers)

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## 1. CALL TO ORDER / ROLL CALL

Chair opened the Planning Commission Meeting at \_\_\_\_ (time)

Board Members present \_\_\_\_

Board Member absent \_\_\_\_

Others present: Amanda Mabry, Secretary; \_\_\_\_

## 2. ADDITIONS / DELETIONS TO AGENDA

Motion \_\_\_\_

Second \_\_\_\_

## 3. APPROVAL OF MINUTES

Motion to approve minutes as presented.

Motion by \_\_\_\_

Second by \_\_\_\_

### Attachments:

- **December 8, 2020 Planning Commission minutes** (planning\_minutes\_12-8.pdf)
- **December 9, 2020, Special Planning Commission minutes** (planning\_special\_meeting\_12-9.pdf)

## 4. PRESENTATIONS/PUBLIC FORUM

## 5. NEW BUSINESS

None

## 6. UNFINISHED BUSINESS

None

## 7. ADJOURN

Motion to adjourn Planning Commission meeting at \_\_\_\_ (time)

Motion \_\_\_\_

Second \_\_\_\_

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Contact: Amanda Mabry (amanda@cityofsedgwick.org 316-772-5151) | Agenda published on  
04/09/2021 at 2:21 PM

**PRESIDING:** Beth Sharbutt, Chair

**MEMBERS PRESENT:** Tyler Mosiman, Clint Brown, Chad Mueller, Steve McGinn-entered meeting at 7:09pm

**MEMBERS ABSENT:** Justin Stucky

**ALSO PRESENT:** Amanda Mabry, Secretary; Bryan Chapman, Mayor;  
Via Zoom: Joe Turner, Administrator; Bickley & David Foster; Foster and Associates.

Chair called the meeting to order at 7:00 p.m.

**MOTION BY TYLER MOSIMAN TO APPROVE THE AGENDA AS PRESENTED  
SECONDED BY CLINT BROWN  
MOTION CARRIED**

**MOTION BY TYLER MOSIMAN TO APPROVE MINUTES FROM NOVEMBER 17, 2020.  
SECONDED BY CHAD MUELLER  
MOTION CARRIED**

New Business

**Public Hearing for New Subdivision Regulations**

- Chair opened the public hearing at 7:02pm to consider adoption of Subdivision Regulations for the City of Sedgwick.
- Introduction of all members of Board and Staff present
- Secretary verified the 20-day notification period for the Hearing was published in the Harvey County Independent on November 12<sup>th</sup>, 2020.
- David Foster, Planning Consultant provided a summary of the Subdivision Regulations as a Model Code. No questions were presented to him from Board.
- The chair opened the legislative hearing to the public at 7:06pm
- There was nobody present at the meeting other than Mayor Chapman & staff informed Board that there has been no communication to the office about the Subdivision regulations.
- The Chair closed the public portion of the hearing at 7:08pm.
- No amendments to the text were submitted.

**MOTION BY CLINT BROWN THAT THE PROPOSED SUBDIVISION REGULATIONS FOR THE CITY OF SEDGWICK BE ADOPTED AS A MODEL CODE DATED DECEMBER 8, 2020 AND THAT THEY BE RECOMMENDED TO THE GOVERNING BODY FOR APPROVAL BY INCORPORATION INTO AN EFFECTUATING ORDINANCE FOR PUBLICATION.  
SECONDED BY TYLER MOSIMAN  
MOTION CARRIED 5-0**

**MOTION BY BETH SHARBUTT TO CLOSE THE SUBDIVISION REGULATION PUBLIC HEARING AT 7:12PM.  
SECONDED BY CLINT BROWN  
MOTION CARRIED**

**Public Hearing for Zoning Regulations & Official Zoning Map**

- Chair opened the public hearing at 7:13pm to consider adoption of new Zoning Regulations and Official Zoning Map for the City of Sedgwick.
- Secretary verified the 20-day notification period for the Hearing was published in the Harvey County Independent on November 12<sup>th</sup>, 2020.
- David Foster, Planning Consultant provided a summary of the Zoning Regulations and Official Zoning Map as a Model Code. He explained the addition of the protective overlay district to allow specific restrictions on any district if needed. Recommended that the Board add a site plan review to the regulation in the future. No questions were presented to him from Board.
- The chair opened the legislative hearing to the public at 7:28pm.
- There was nobody present at the meeting other than Mayor Chapman & staff informed Board that there has been no communication to the office about the Zoning Regulations and Official Zoning Map.
- The Chair closed the public portion of the hearing at 7:29pm.
- No amendments to the text were submitted.

**MOTION BY STEVE MCGINN THAT THE PROPOSED ZONING REGULATIONS FOR THE CITY OF SEDGWICK AND THE OFFICIAL ZONING MAP BE ADOPTED AS A MODEL CODE DATED DECEMBER 8, 2020 AND THAT THEY BE RECOMMENDED TO THE GOVERNING BODY FOR APPROVAL BY INCORPORATION INTO AN EFFECTUATING ORDINANCE FOR PUBLICATION. SECONDED BY CHAD MUELLER**  
**MOTION CARRIED 5-0**

**MOTION BY BETH SHARBUTT TO CLOSE THE ZONING REGULATIONS AND THE OFFICIAL ZONING MAP PUBLIC HEARING AT 7:33PM.**  
**SECONDED BY TYLER MOSIMAN**  
**MOTION CARRIED**

**MOTION BY STEVE MCGINN TO ADJOURN THE PLANNING COMMISSION AT 7:49 P.M.**  
**SECONDED BY BETH SHARBUTT**  
**MOTION CARRIED**

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Amanda Mabry  
Planning Commission Sec./Deputy City Clerk

**SEDGWICK PLANNING COMMISSION  
SPECIAL MEETING  
520 N COMMERCIAL AVE**

**December 9, 2020  
7:00 P.M.**

**PRESIDING:** Beth Sharbutt, Chair

**MEMBERS PRESENT:** Tyler Mosiman, Clint Brown, Justin Stucky, Steve McGinn-entered meeting at 7:03pm

**MEMBERS ABSENT:** Chad Mueller

**ALSO PRESENT:** Amanda Mabry, Secretary; Glen Klocke, Network Real Estate, LLC; Scott McGinn.

Chair called the meeting to order at 7:00 p.m.

**Public Hearing for Network Real Estate Conditional Use Permit**

-Chair reopened the public hearing that was tabled November 17, 2020 at 7:01pm

-Glen Klocke with Network Real Estate, LLC spoke to the Board explaining that after the last meeting he spoke to AT&T and they could move the tower approximately 800 feet to the north on the property, but the move would add a year to the project timeline and possibly interrupt service to the south. He also said the owner Scott McGinn, of the property had spoken to the property owners to the south of him about the tower placement and the driveway location. Mr. Klocke did not want to speak for the Niemeyer's but said they indicated that the tower could stay in the original location but move the drive, so it is straight from the tower to the road and not along the south property line.

-Scott McGinn the owner of the property for the tower addressed the board and said he did talk with Andrew & Dallas and they did agree to the tower but wanted the drive moved.

-Board member Tyler Mosiman stated that he had spoken to Andrew Niemeyer and he did agree that is what he and Andrew had discussed, and Mr. Niemeyer had agreed.

-No other public was present or sent anymore correspondence different from the first meeting.

-Chair closed the public portion of the hearing at 7:15pm.

-Board discussed the action questions for the application.

1.
  - a. Yes, application meets the zoning regulations
  - b. No, does not affect the welfare or convenience of public
  - c. Should not affect value but board stated they cannot judge that.
  - d. Move the drive to go straight west off N. Washington to the tower location.
  - e. No off-street parking on site.
  - f. Yes, drainage should be good.
  - g. Yes, entrance should not be a hazard.
  - h. Yes, no toxic materials will be on property.
2.
  - a. Keep existing trees along the south property line not to exceed 50% from the survey measurement.
  - b. Tower placement will be located per the 9/28/20 engineers drawing submitted.
  - c. Driveway to the tower will run straight west off N. Washington Ave to the tower location.

**MOTION BY BETH SHARBUTT THAT THE PROPOSED CONDITIONAL USE PERMIT BE PRESENTED TO THE COUNCIL FOR APPROVAL WITH THE FOLLOWING TERMS: KEEP EXISTING TREES ALONG THE SOUTH PROPERTY LINE NOT TO EXCEED 50% FROM THE SURVEY MEASUREMENT.**

**TOWER PLACEMENT WILL BE LOCATED PER THE 9/28/20 ENGINEERS DRAWING SUBMITTED.**

**DRIVEWAY TO THE TOWER WILL RUN STRAIGHT WEST OFF N. WASHINGTON AVE TO TOWER. SECONDED BY CLINT BROWN**

**MOTION CARRIED 4-0, STEVE MCGINN ABSTAINED FROM VOTE DUE TO CONFLICT OF INTEREST**

**MOTION BY BETH SHARBUTT TO ADJOURN THE PLANNING COMMISSION AT 7:34 P.M. SECONDED BY CLINT BROWN**

**MOTION CARRIED 5-0**

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Amanda Mabry  
Planning Commission Sec./Deputy City Clerk

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