

**AGENDA-REGULAR MEETING
GODDARD PLANNING COMMISSION
118 NORTH MAIN
GODDARD, KANSAS**

August 10, 2020
7:00 P.M.

A) CALL TO ORDER

B) PLEDGE OF ALLEGIANCE AND INVOCATION

C) APPROVAL OF THE AGENDA

D) CITIZEN COMMENTS

E) CONSENT AGENDA:

Items on the Consent Agenda are considered by staff to be routine business items. Approval of the items may be made by a single motion, seconded, and a majority vote with no separate discussion of any item listed. Should a member of the Governing Body desire to discuss any item, the item will be removed from the Consent Agenda and considered separately.

1. Approval of Minutes

- a. Regular Meeting – July 13, 2020

F) BOARD of ZONING APPEALS

1 Conditional Use Permit for 1609 E Elk Ridge Ave

G) OLD BUSINESS

None

H) NEW BUSINESS

None

I) CITY PLANNER REPORT

1. Residential Growth Map
2. Cedar Addition
3. Goddard Outdoor Power Sign Variance
4. Baptist Church
5. Clover Leaf Sign Variance

J) COMMISSIONER COMMENTS

K) ADJOURNMENT

The Next Regular Meeting of the Planning Commission is scheduled for
September 14, 2020 at 7pm.

**MINUTES-REGULAR SESSION
CITY OF GODDARD
118 NORTH MAIN, GODDARD, KS
July 13, 2020**

The Goddard Planning Commission met in a Regular Session at Goddard City Hall on Monday June 8, 2020. Chairman VanAmburg called the meeting to order at 6:59 p.m. Chairman VanAmburg led in the Pledge of Allegiance and Commissioner Cline led the Invocation.

Commission members present were:

Justin Parks, Jody Dendurent, Jamie Coyne, Doug VanAmburg, Darren Cline, Shane Grafing

Commissioners absent were:

Doug Hall

Also present were: Micah Scoggan, City Planner; Thatcher Moddie Fellowship Intern

APPROVAL OF THE AGENDA

MOTION: Commissioner *Cline* moved to approve the agenda. Commissioner *Grafing* seconded the motion. The motion carried unanimously.

APPROVAL OF THE MINUTES

MOTION: Commissioner *Grafing* moved to approve the minutes from June 8, 2020. Commissioner *Coyne* seconded the motion. The motion carried unanimously.

CITIZEN COMMENTS

None

BOARD OF ZONING

None

OLD BUSINESS

G.1 Sign Ordinance Draft

Scoggan introduced the subject. He informed the Planning Commission that in 2016 the City of Goddard adopted new guidelines for regulating signage within the City. The new regulations gave a timeline for all pole signs to be converted to monument signs and this caused some consternation amongst some business owners.

Scoggan mentioned removing the amortization period as well as allowing pole signs if the speed limit exceeds a certain limit.

Scoggan mentioned that most residential signs are exempt from the sign regulations and as such the sign regulations for the most part will deal with Industrial and Commercial businesses.

Commissioner Dendurent mentioned that the only difference is when the speed limit is from 50-60 a pole sign is allowed.

Commissioner Dendurent asked what is the difference between a free standing sign, temporary sign and portable sign

Scoggan replied that the sign type are defined in the sign ordinance. He went on to define the different sign types. He specifically mentioned that the portable signs listed are currently prohibited and this was due to the fact that little portable a frame or wagon signs were an eye sore and were prohibited by the City where as signs

Commissioner Dendurent asked if it could be more of use? If it is permanent it wouldn't need a portable sign but if it is temporary for a farmer's market truck it could be allowed.

Chair VanAmburg asked how would that exempt little trailer signs, as they would fall under the same things. He mentioned the Lions Club fireworks wagon sign.

Commissioner Cline said basically no signs with wheels on it.

Commissioner Dendurent said if it was temporary business it could be acceptable.

Chair VanAmburg said what about banners on McDonalds and other businesses.

Scoggan mentioned that banners are exempt for businesses.

Commissioner Dendurent asked about small pole signs with banners on them.

Commissioner Cline said like the ones telephone companies have.

Scoggan said they could be considered temporary or free standing depending on the composition.

Chair VanAmburg said you differentiated between different businesses and liquor stores.

Scoggan mentioned that a certain company wanted three walls signs and they were denied based on the current regulations only allow for one type of sign. He said that where quantities and definitions come into play. He said it can be subjective.

Chair VanAmburg said what about square footage? It used to be in the sign regulations.

Scoggan replied it no longer was that signs are based on type and zoning classification.

Commissioner Coyne asked about the sign regulations versus having a business that is in bad upkeep.

Scoggan replied he would consider those two separate issues. Sign regulations simply dictate what can be on the lot whereas code compliance deals with unkempt lots.

Commissioner Dendurent said she didn't see any changes that included maintenance and upkeep of the signs.

Scoggan replied he didn't include it but he could.

Commissioner Dendurent mentioned that she drove up and down Kellogg and noticed that a Pole sign that looks good today, ten years down the road will not look as good.

Scoggan replied that is something that can be added something the includes the general upkeep of the signs.

Chair VanAmburg asked if that would be a code violation for sign maintenance or a sign regulation.

Scoggan replied that was a good question and that he thinks it can just be used in the sign regulations but what really matters is enforcement.

Commissioner Dendurent asked what have we seen in other small Cities.

Scoggan mentioned it seems to be mostly wall signs.

Commissioner Dendurent mentioned that even the way it is right now having one of each could still make the business look tremendously ugly.

Scoggan replied that's true but businesses want to maximize visibility and marketing but they also want to spend as little money as possible.

Commissioner Dendurent asked if there was still going to be height regulations.

Scoggan replied there was and if someone wanted to exceed it they would have to get a variance.

Chair VanAmburg asked is it understood now that if a new business goes in they are required to do a monument sign.

Scoggan replied with the current sign ordinance they would be required to do a monument sign but with the revised draft a new business could do a pole sign.

Commissioner Coyne asked what the speed limit is for those businesses along the Kellogg rd.

Scoggan replied it was 60 MPH and then it drops to 50

Commissioner Coyne said technically those businesses are on the frontage road and the bank is the only one that touches the US 54. It could be nick picked and some businesses would get mad because they are not technically on US- 54

Scoggan said that would be an interesting technicality and it would be something that needs to be revised.

Commissioner Cline said 50 is the lowest it is going to go on US-54

Commissioner Cline said the loophole would be someone could argue they don't technically sit on the 50 mile an hour road.

Commissioner Parks said it would be off address and what does the address say.

Commissioner Grafing asked if a farmer's market sign would be considered temporary.

Scoggan said he would consider it temporary. Time limits would be difficult to enforce and temporary would be considered less than a year or recurring.

Commissioner Dendurent said we would want to make sure are definitions are very clear.

Scoggan agreed. And said we could include examples.

Chair VamAburg said this seems it is ongoing forever.

Commissioner Park stated the he wonders if it as simple as going with the speed limit and then going with height and saying the signage needs to approve by the City Planner.

Scoggan mentioned this came up last time because if signs need to be approved there is potential for bias and contractors would say they do not know the parameters to charge the client.

Commissioner Parks stated he was not trying to be to judgmental but most sign permits would come across the City Planner desk and so the criteria for say a monument sign and the definition would have to be real solid because once the sign starts going up it would be real difficult to put a stop work order on it to say this is not what we had in mind. Once one person does it you start approving multiple people and then you lose control.

Commissioner Dendurent asked if there was some review process now where the City Planner would see the sign being proposed.

Scoggan said yes most sign companies know they need a sign permit and will submit one to his office.

Commissioner Dendurent said so when they pull a permit the City Planner would see what they are proposing.

Scoggan replied yes

Commissioner Parks asked if the application required some sort of image to show what they were proposing.

Scoggan replied he would have to double check but he believes the application requires an image or a sketch.

Commissioner Parks said there you go that would give some review prior to building. Sign companies are hand in hand with graphics it is what they do.

Chair VanAmburg mentioned they had spoke about subdivision signs being not temporary because of how long they last.

Scoggan agreed and said they are not built to be permanent, so the intent of the sign comes into play as well. He further said that the sign regulations will be back on their desks in the future and should he proceed to other items?

Chair VanAmburg agreed

NEW BUSINESS

H.1 North Park Preliminary Plat

Scoggan introduced the subject. He mentioned that the City of Goddard purchased some land from the property owner of Tanganyika Wildlife Park at the corner of 183rd and Maple.

This land is intended to be used for the development of a public park and as such it is going through the Platting process for development.

The Plat will have to be revised later when the design of the park is approved, and the City knows where they want to place buildings and water/ sewer mains and streets.

Scoggan mentioned that Harlan of CED represents the City in engineering related issues and he was present to answer any questions.

Chair VanAmburg said it sounds like everything is up in the air right now and nothing is defined.

Scoggan replied this is true the land is unplatted and they wanted to define the land clearly between the City land and the neighbors. It helps define the land for the template for design.

Harlan Foraker said the park was several pieces of different tracks and so it was confusing to determine where the land was and so platting it combined the tracts together.

Scoggan also mentioned that a Plat is a legal document that gives the City a clear map of what they can work with without anyone accusing them of working with land that does not belong to them.

Harlan Foraker mentioned he did make one mistake and that was an ingress/egress easement was supposed to travel north and south of the length of the land and it stopped short before it reached Maple Street.

MOTION: **Commissioner Coyne** motioned to approve the preliminary plat contingent upon fixing the ingress egress access easement. **Commissioner Cline** seconded the motion.

Motion carried **5-0**

H.2 North Park Final Plat

Scoggan introduced the subject. He mentioned that the City of Goddard purchased some land from the property owner of Tanganyika Wildlife Park at the corner of 183rd and Maple. This land is intended to be used for the development of a public park and as such it is going through the Platting process for development.

The Plat will have to be revised later when the design of the park is approved, and the City knows where they want to place buildings and water/ sewer mains and streets.

Scoggan mentioned that they typically do a drainage study but it wouldn't make sense to do one yet because they don't know how much impervious surface they are offsetting.

Harlan Foraker said they typically look at existing conditions and compare it to the developed conditions. So until they know how many rooftops and parking lots ect it is a little difficult because there is no comparison right now.

Chair VanAmburg said that doesn't really say anything because it doesn't address what it is going to be.

Commissioner Grafing said basically it would be a waste of time. To show the drainage what it is now and not knowing what its going to be.

Chair VanAmburg said are we looking for a motion on this?

Scoggan said he wanted to show them the plat with the trees and building footprints gone. It was also pointed out that the final plat had the ingress/ egress running the length of the lot.

Commissioner Cline said the park does not go all the way over to maple and 183rd

Scoggan replied it does that area was just a turning radius and the street needed that width for cars turning.

Commissioner Cline asked if the old horse barn will be gone.

Harlan Foraker said he thinks the intent is to demo all the structures.

Scoggan replied it depends on who you ask.

Commissioner Cline said he assumes they are going to run the sidewalk over across 183rd to the new park.

Scoggan replied that would be ideal but they are also looking at using WAMPO dollars that were awarded for modernizing 183rd that would include a cross walk across 183rd to the new park.

Commissioner Coyne asked do they need to approve this contingent upon a drainage plan?

Scoggan replied he did not think they needed to but if they wanted to they certainly could.

Harlan Foraker replied you could make it contingent upon the Site Plan when the Site plan comes before them.

MOTION: *Commissioner Coyne* motioned to approve the preliminary plat contingent upon fixing the ingress egress access easement. *Commissioner Grafing* seconded the motion.

Motion carried **5-0**

CITY PLANNER REPORT

Scoggan introduced the City planner report. He mentioned the Architect representing Braums has reached out to review any necessary Planning Related requirements prior to pulling permits for construction. They anticipate pulling permits for the development in October/November.

Scoggan went on to say he reviewed the planning Commission minutes and as mentioned before he feels it is important to bring certain site plans before the planning Commission for transparency as well as multiple opinions and review. He went on to say that if he feels like a site plan changes by 50 percent or more or if the Site Plan changes in a dramatic way, he would bring it back before the Planning Commission.

He further mentioned that the property owner at 1605 E Elk Ridge Ave would like to have the Planning Commission review a Conditional Use Permit for a detached garage. The Garage exceeds the maximum allowable 720 square feet and as such it needs to be reviewed and approved by the Planning Commission. This has been scheduled for August 8th 2020

PLANNING COMMISSIONER COMMENTS

Chair VanAmburg said the sign regulation he was not sure where its going and he knows we have a lot of work tied up in it now. He said he felt that he just wanted ti to be done.

Planning Commission Minutes
June 8, 2020

Scoggan replied he appreciated the sentiment because he himself also wanted it to be done but one has to remember that the Governing Body has to approve it to and one of the critiques that came up last time was the Commercial Businesses felt they were excluded and the City does not want to exclude them again.

Chair VanAmburg said well all your seeing in me is impatience and I apologize for that.

ADJOURNMENT

MOTION: Commissioner *Cline* moved to adjourn the regular meeting.

Commissioner *Grafing* seconded the motion. The motion carried unanimously.

Meeting adjourned at 7:59 pm.
Micah Scoggan, City Planner

**City of Goddard
Goddard Planning Commission
August 10, 2020
7:00 PM**

TO: Planning Commission
SUBJECT: Conditional Use Permit – 1609 E Elk Ridge Ave
PREPARED BY: City Planner
AGENDA: Board of Zoning Adjustment

Background: Ryan Sumner is the owner of the property at 1609 E Elk Ridge Ave. He would like to build a detached garage on his lot and this by itself does not require a CUP but his desire is to build one that exceeds 720 Sq ft.

Consideration for a Conditional Use Permit must go before the Planning commission if the detached garage exceeds 720. His proposed garage is 40x50 or 2000 square feet.

Analysis:

- A notice was published in the City newspaper to inform anyone who would be interested in this case and letters were sent out to all the property owners within 200 feet of the property.
- No one has shown concern and most people when they called think the letter they received is about their property.

Under Article 6.100.B.1

Off-street parking and loading space as regulated by Article 5 of these regulations, including detached garages and carports. On lots for single and two-family dwelling units and all types of manufactured and mobile homes such structures may contain incidental space for storage and other uses and are limited to one each per zoning lot not over 720 square feet in gross floor area for a garage and 400 for a carport, unless a conditional use is approved by the Board of Zoning Appeals for a larger structure.

Financial: No cost required at this time

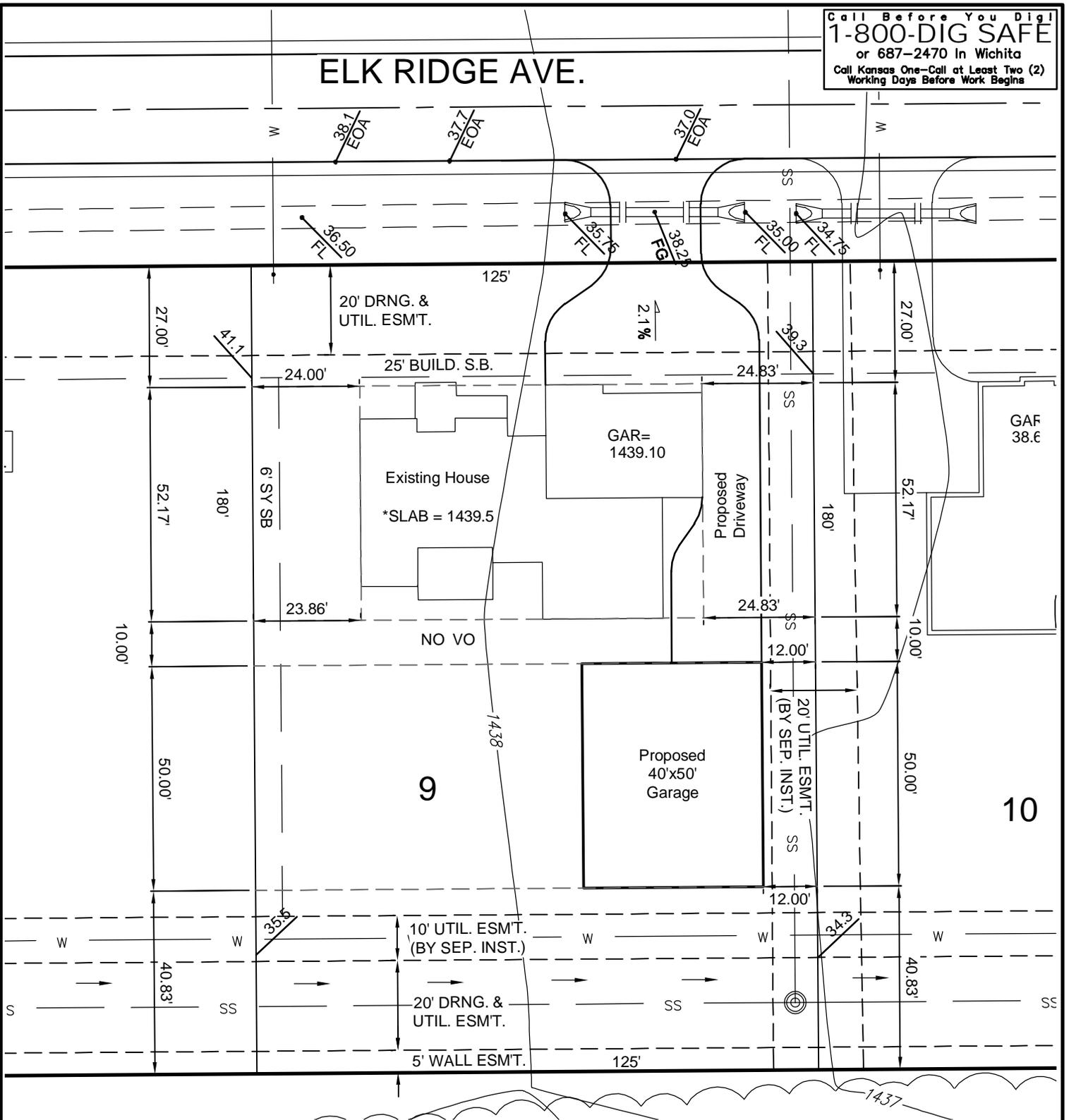
Legal Considerations: Approved as to form

Recommendation/Actions: It is recommended that the planning Commission approve the Conditional Use Permit for 1609 E Elk Ridge Ave

Attachments: Exhibit F.1a Garage Location on Lot (1 Page)

Call Before You Dig!
1-800-DIG SAFE
 or 687-2470 In Wichita
 Call Kansas One-Call at Least Two (2)
 Working Days Before Work Begins

ELK RIDGE AVE.



General Notes:

1. Staking dimensions are shown for representation only.
2. This drawing does not represent a boundary survey or mortgage title inspection (MTI). Easements and setbacks shown have been taken from the recorded plat or other known sources. It shall be the Builder's responsibility to ensure that the final location of the house conforms to all applicable setbacks and easements.
3. Any changes in elevations shown on this plan must be approved by the Developer or his Authorized Representative.
4. The Builder or their subcontractor(s) shall contact the Engineer immediately with any discrepancies.

**Extra deep footings may be required
 Builder to determine suitability of existing soil to support slab floor*

LOT GRADING PLAN

Revisions:
 1. Garage Size
 June 23, 2020

Location:
 Lot 9 Block C
 Elk Ridge Addition
Prepared For:
 W Homes
 Phone: 616-7549

Drawn By:
 DML
Date Drawn:
 April 2, 2020
Project Number:
 20-04-G003
Approved By:

File Location:
 E:\GRADE\Elk Ridge Additon - Goddard\Lot09_BlkC_Add Gar_Rev1.dwg



1" = 30'

Legend:

VO	View- Out	BF	Basement Floor
PVO	Partial View- Out	RC-TC	Roll Curb-Top of Curb
WO	Walk- Out	TC	Top of Curb
TF	Top of Foundation	FG	Finished Grade

Baughman
 ENGINEERING | SURVEYING | PLANNING
 LANDSCAPE ARCHITECTURE
 Baughman Company, P.A.
 315 Ellis Wichita, KS 67211
 Phone: 616-7549

**City of Goddard
Goddard Planning Commission
August 10, 2020
7:00 PM**

TO: Planning Commission
SUBJECT: Several items of note for informative purposes but not for voting on
INITIATED BY: City Planner
AGENDA: Staff Report

Background: Micah Scoggan, City Planner, compiles a short concise report outlining relevant information and presents it to the Planning Commission.

1. Residential Growth

The City of Goddard continues to grow and as of right now Elk Ridge has 15 lots left for sale. Arbor Creek has sold 20 lots in Phase 1 and Clover Leaf has pulled 4 building permits

2. Cedar Addition

On March 11, 2019, the planning Commission approved the Final Plat for the Cedar Addition which is between Main St and Cedar St. I believe the developer is moving forward with building the 5 duplexes and we should see building permits shortly.

3. Goddard Outdoor Power Sign Variance

Goddard Outdoor power has submitted a request for a sign variance so they can have additional wall signs on their business. The notice was sent out to the City newspaper and letters sent out to everyone within 200 feet.

4. Baptist Church

The Goddard Baptist Church is for sale. Several different people are looking at purchasing the property and I have spoke with four different individuals about this lot and the adjacent lots that go with it.

I do not know all the details but apparently part of the sale requires any rezoning to happen within 120 days after closing. Everyone I talked to has asked about rezoning and how long it will take. I expect at some point soon someone will want to rezone the Church and it will have to come before the Planning Commission and then the Governing Body.

5. Clover Leaf Sign Variance

The Developer who is building Clover Leaf wants to put a larger than allowed marketing sign. This is similar to the Arbor Creek Development that wanted a larger marketing sign for advertising their subdivision.