

**AGENDA-REGULAR MEETING
GODDARD PLANNING COMMISSION
118 NORTH MAIN
GODDARD, KANSAS
September 14, 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 – August 10, 2020

F) BOARD of ZONING APPEALS

1 Goddard Outdoor Power sign variance request

2 Clover Leaf Farms sign variance request

G) OLD BUSINESS

None

H) NEW BUSINESS

None

I) CITY PLANNER REPORT

1. Baptist church rezoning

J) COMMISSIONER COMMENTS

K) ADJOURNMENT

The Next Regular Meeting of the Planning Commission is scheduled for
October 12, 2020 at 7pm.

**MINUTES-REGULAR SESSION
CITY OF GODDARD
118 NORTH MAIN, GODDARD, KS
August 10, 2020**

The Goddard Planning Commission met in a Regular Session at Goddard City Hall on Monday August 10, 2020. Chairman VanAmburg called the meeting to order at 6:56 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, Doug Hall

Commissioners absent were:

None

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

APPROVAL OF THE AGENDA

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

5-1

Commissioner *Dendurent* voiced opposition to the agenda stating there was an agenda item mentioned in the packet but not listed for voting consideration. Upon review it was shown to be in the City Planner report as a receive and file not to be considered for a vote.

Commissioner *Dendurent* rescinded her opposition vote and the following vote became unanimous.

6-0

APPROVAL OF THE MINUTES

MOTION: Commissioner *Grafing* moved to approve the minutes from July 13, 2020. Commissioner *Cline* seconded the motion. The motion carried unanimously.

CITIZEN COMMENTS

None

BOARD OF ZONING

F.1 Conditional Use Permit for 1609 E Elk Ridge Ave.

Scoggan introduced the subject. He stated 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.

Scoggan stated 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.

Chair VanAmburg asked if it was two separate buildings or one.

Scoggan replied it was one

Chair VanAmburg asked if the existing garage was already attached.

Scoggan replied it was.

Scoggan stated that the owner was building a detached garage that had slightly better materials to match the house.

Commissioner Parks asked if the lot coverage was okay for that zoning classification.

Scoggan replied it was.

MOTION: *Commissioner Grafing* motioned to approve the Conditional Use Permit for the detached garage at 1609 E Elk Ridge Ave. *Commissioner Cline* seconded the motion.

Motion carried **6-0**

Doug VanAmburg stated that while they were on the subject the 720 square feet for a detached garage seemed inadequate.

Scoggan replied he thought it was reasonable but then he moved to Kansas so perhaps he was right.

Scoggan replied that the Planning Commission could amend the subdivision regulations to include a number that they thought was reasonable.

Commissioner Grafing mentioned that they had spoke about changing it in the past to 1,200 square feet.

Commissioner Parks mentioned that a two-car garage was 620 square feet. He said that was not as important lot coverage.

Commissioner Dendurent asked if lot coverage was considered now.

Scoggan replied it was a current requirement.

Commissioner Dendurent said they would not be seeing it now if it exceeded that coverage.

Scoggan replied they would not.

Commissioner Parks stated the average lot is 1/3 of an acre.

Scoggan replied a quarter acre is average.

Commissioner Parks said thirty five percent of a quarter acre would be around four thousand square feet.

OLD BUSINESS

None

NEW BUSINESS

None

CITY PLANNER REPORT

Scoggan spoke on the Residential growth in the City giving an update on the several subdivisions and how many lots had sold and how many remained.

Scoggan also spoke on the Cedar Addition which was approved on March 11, 2019 and he mentioned that they might be moving forward with the duplexes for the development.

Scoggan also mentioned the upcoming sign variance request for Goddard Outdoor Power as well as the upcoming sign variance request for Clover Leaf Farms

Scoggan also mentioned that the Baptist church located on 2nd street has sold and will need to go through a rezoning request.

PLANNING COMMISSIONER COMMENTS

Commissioner Cline asked if the sign variance was a condition Braums asked for so they could market their business.

Commissioner Grafing said it was and they wanted thirty-five feet.

Commissioner Cline asked what it about the sign was that required a variance.

Commissioner Grafing mentioned the sign was taller than the Wal-Mart sign.

Commissioner Dendurent said the other Braum's sign was not that tall. Did they just want it taller because it was on Kellogg?

Commissioner Park said yes it was.

ADJOURNMENT

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

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

Meeting adjourned at 7:28 pm.
Micah Scoggan, City Planner

**City of Goddard
Goddard Planning Commission
September 14, 2020
7:00 PM**

TO: Planning Commission
SUBJECT: Sign Variance Request-Goddard Outdoor Power
PREPARED BY: City Planner
AGENDA: Board of Zoning Adjustment

Background: Goddard Outdoor Power, a property located at 20410 W Kellogg Dr, wants to be considered for a sign variance to allow five (5) wall signs on the front of their property. They originally requested five signs when applying for a sign permit in April but their request was denied due to the number of wall signs allowed in a commercial district. This led to conversations about sign variances and the resulting application.

Analysis: Authorized Variances and Findings of Fact

Article 10-107.C. Authorized. Variances from the provisions of these regulations shall be granted by the Board only in accordance with the standards set out in Section 10-107.D, and may be granted only in the following instances and in no others:

1. To vary the applicable minimum lot area, lot width and lot depth requirements.
2. To vary the applicable bulk regulations, including maximum height and lot coverage and minimum yard requirements.
3. To vary the dimensional provisions for permitted obstructions in required yards including fences in Section 3-103F.
4. To vary the applicable number of required off-street parking spaces and the amount of off-street loading requirements of Article 5.
5. To vary the applicable dimensional sign provisions of Section 7-102 regarding general standards and Section 7-104 regarding district regulations.
6. To vary the applicable requirements in Sections 10-107 C1 through 5 above in conjunction with conditional use applications for nonconforming, nonresidential structures and uses under provisions of Section 8-105.
7. To vary the applicable provisions permitted by the Floodplain Regulations. (See Appendix for Floodplain Regulations.)

1. The Board may grant a variance upon specific written findings of fact based upon the particular evidence presented to it at the hearing that all the conditions required by K.S.A. 12-759(e) have been met which are listed below:

i. That the variance requested arises from such condition which is unique to the property in question and which is not ordinarily found in the same zoning district. and is not created by an action or actions of the property owner or the applicant; **Not created by the property owner.**

ii. That granting of the variance will not adversely affect the rights of adjacent property owners or residents; **It will not adversely affect the property owners**

iii. That strict application of the provisions of these regulations from which a variance is requested will constitute unnecessary hardship upon the property owner represented in the application; **The marketing of certain brands is a requirement by the suppliers of those merchandise to the property owner and as such requires maximum visibility.**

iv. That the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare; and

v. That granting the variance desired will not be opposed to the general spirit and intent of these regulations. **It will not affect health, safety or welfare.**

Financial: Public notice was given incurring a small cost.

Legal Considerations: Approved as to form

Recommendation/Actions: It is recommended that the Planning Commission approve the sign variance request (**VOICE**)

Attachments: Exhibit F.1a Application for sign variance (5 Pages)



APPLICATION FOR A VARIANCE FROM CITY OF GODDARD ZONING REGULATIONS

118 North Main, PO Box 667 Goddard, KS 67052 P. 316.794.2441 F. 316.794.2401 goddardks.gov

This application for a variance from the City of Goddard Zoning Regulations must be completed in accordance with accompanying instructions and filed with the Zoning Administrator at City Hall, 118 N. Main, PO Box 667, Goddard, KS 67052, www.goddardks.gov.

(INCOMPLETE APPLICATIONS CANNOT BE ACCEPTED)

Filing Deadline: _____

Applicant Name: JT Cammon Phone: 316-619-1868

Applicant Address: 20410 W Kellogg Drive

Name of Agent, if applicable: Tom Graham Phone: 316-650-4147

Agent Address: 1329 S Handley Wichita, KS

Relationship of applicant to the property is: Owner (Owner, Tenant, Agent, Lessee, etc.)

Property Location: 20410 W Kellogg Drive Goddard KS 67052

Legal Description: BEG N L1 US 54 HWY + 1607.42 FT W of E L1 of SE 1/4 TH N 250FT W 240FT S 250FT TO BEG EXC S 50ft SEC 30-21

Zoning Classification (District): _____

Application for a variance must contain the following information:

1. Requirements of these regulations which prevent the proposed use or construction: limit of one wall sign, and would like to add 4 additional wall signs

2. Characteristics of the subject property which prevent compliance with the requirements of these regulations: Square footage is the correct amount limited by number of signs

3. Reduction of minimum requirements of these regulations necessary to permit the proposed use/construction:

need to increase the number of signs for elevations

4. Hardship resulting if the particular requirements of the regulations were applied to the property:

The applicant or his/her authorized agent acknowledges that:

- A. He/she has received informational material concerning the filing and hearing of this matter, and
- B. He/she has been advised of the fee requirements established and that the appropriate fee has been paid, and
- C. He/she has been advised of his/her right to bring action in District Court of Sedgwick County to appeal the decision of the Goddard Board of Zoning Appeals, and
- D. All documents are attached hereto as required in the instructions, and
- E. The Goddard Board of Zoning Appeals has the authority to require such conditions as are deemed necessary and reasonable in order to serve the public interest.


Applicant/Agent Signature

Date

(FOR OFFICE USE ONLY)

Accepted by:

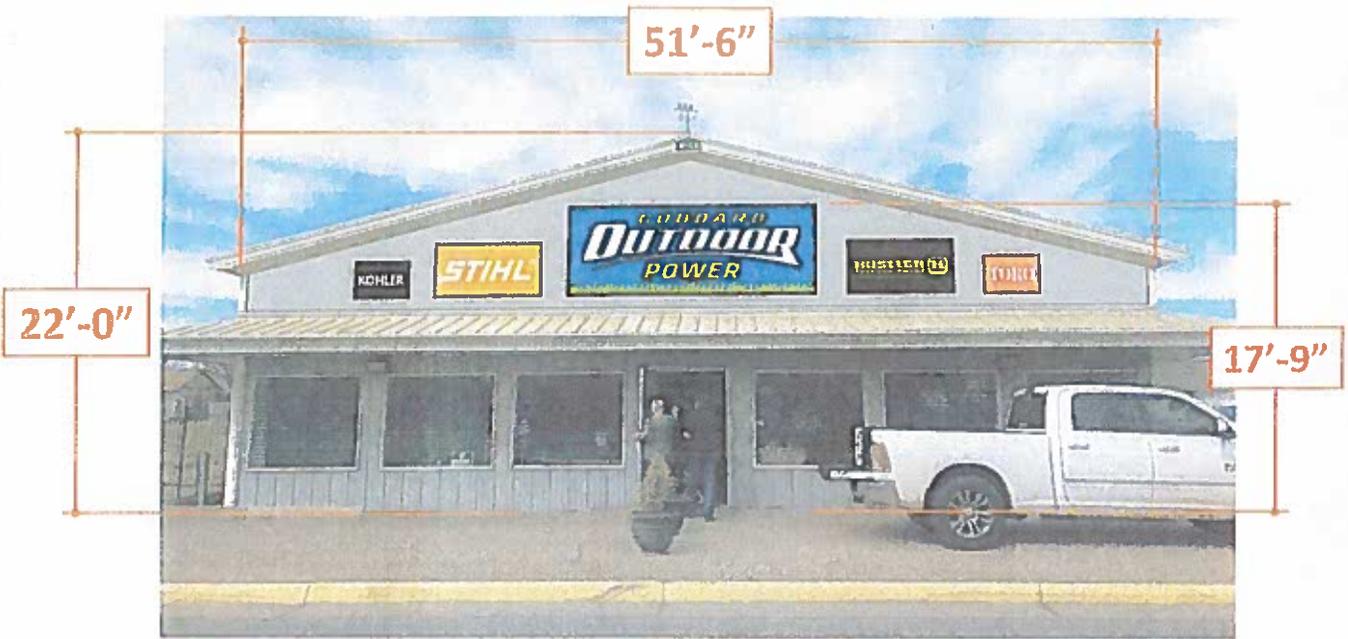
Zoning Administrator

Date

Meeting Date: _____

cc: Applicant

WALL SIGN INSTALLATION MOCK-UP

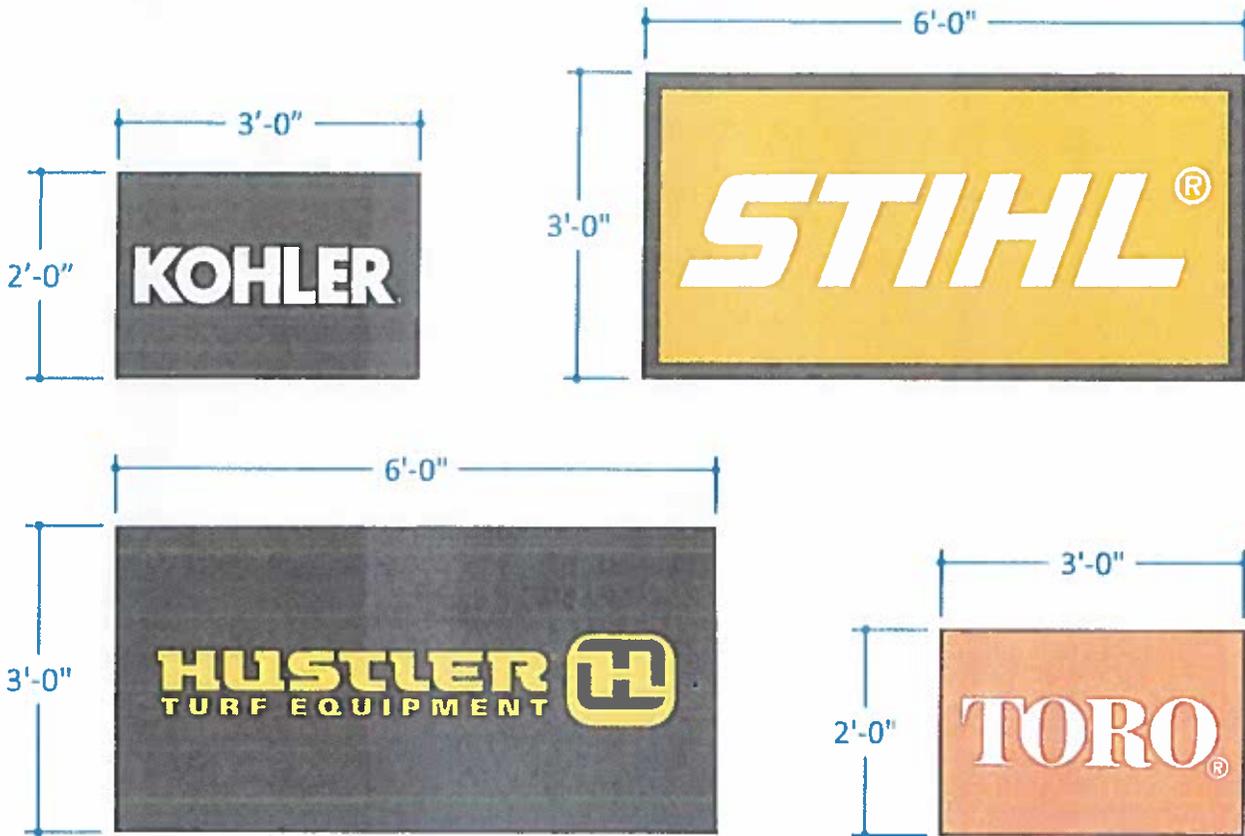


ELEVATION SQFT: 1,133 SQFT

 RON'S SIGN COMPANY 1322 S. Hendry St Wichita, KS 67218 Phone: 1.316.267.8914 Fax: 1.316.287.0611	DRAWING DATE: 01.01.20	ADDRESS: 20410 W Kellogg Dr, Goddard, KS 67052	CUSTOMER: GODDARD OUTDOOR POWER EQUIPMENT	SHEET NUMBER: 5.0
	DESIGNER: A. SMITH SALES REP: J. SAINDON	CLIENT APPROVAL:	DATE:	DESIGN PHASE: PROPOSED

By signing this, you agree that all of the following is correct and satisfactory. This layout is the property of Ron's Sign Co. and may not be shown to anyone outside of your organization, nor is to be used, reproduced, copied, or exhibited in any fashion. Ron's Sign Co. will aim to closely match colors, including PMS, where specified. We cannot guarantee exact matches due to varying surface materials and paint codes used. All sizes and dimensions are illustrated for client's view of the project and is not to be viewed as being exact size or exact scale.

WALL SIGN CUSTOMER SUPPLIED SIGNS



 RON'S SIGN COMPANY 1729 S. Hendley St Wichita, KS 67213 Phone: 316.267.8914 Fax: 316.267.8911	DRAWING DATE: 02/01/20	ADDRESS: 20410 W Kellogg Dr, Goddard, KS 67052	CUSTOMER: GODDARD OUTDOOR POWER EQUIPMENT	SHEET NUMBER: 3.0
	DESIGNER: A. SMITH SALES REP: J. SAINDON	SIGNAGE: CLIENT APPROVAL: _____ DATE: _____	DESIGN PHASE: PROPOSED	

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WALL SIGN

COMBINED SIGN SIZING

SCALE: 3/16" = 1'



SIGN SQFT: 191.25 SQFT

 RON'S SIGN COMPANY 1329 S. Harday St Wichita, KS 67211 Phone: 1-918-267-8914 Fax: 1-918-267-8811	DRAWING DATE: 05 01 20	ADDRESS: 20410 W Kellogg Dr, Goddard, KS 67052	CUSTOMER: GODDARD OUTDOOR POWER EQUIPMENT	SHEET NUMBER: 4.0
	DESIGNER: A. SMITH SALES REP: J. SAINDOEN	CLIENT APPROVAL:	DATE:	DESIGN PHASE: PROPOSED

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**City of Goddard
Goddard Planning Commission
September 14, 2020
7:00 PM**

TO: Planning Commission
SUBJECT: Sign Variance Request – Clover Leaf Farms
PREPARED BY: City Planner
AGENDA: Board of Zoning Adjustment

Background: The development known as Clover Leaf Farms is in the process of putting together a sign to market their subdivision within the City of Goddard. This marketing sign is consistent with almost every other subdivision around the metro area. However, the sign they requested to build exceeds the gross square footage allowable within the Clover Leaf Farms Subdivision, which is R-2.

The sign ordinance for R-2 deals predominantly with residents who want to put up signs in their yards and not with the overall marketing of the subdivision. As such it can be cumbersome for developers to submit a marketing sign for a R-2 subdivision only to find the sign ordinance for R-2 prohibits the sign from exceeding a certain size.

Analysis: Authorized Variances and Findings of Fact

Article 10-107.C. Authorized. Variances from the provisions of these regulations shall be granted by the Board only in accordance with the standards set out in Section 10-107.D, and may be granted only in the following instances and in no others:

1. To vary the applicable minimum lot area, lot width and lot depth requirements.
2. To vary the applicable bulk regulations, including maximum height and lot coverage and minimum yard requirements.
3. To vary the dimensional provisions for permitted obstructions in required yards including fences in Section 3-103F.
4. To vary the applicable number of required off-street parking spaces and the amount of off-street loading requirements of Article 5.
5. To vary the applicable dimensional sign provisions of Section 7-102 regarding general standards and Section 7-104 regarding district regulations.
6. To vary the applicable requirements in Sections 10-107 C1 through 5 above in conjunction with conditional use applications for nonconforming, nonresidential structures and uses under provisions of Section 8-105.
7. To vary the applicable provisions permitted by the Floodplain Regulations. (See Appendix for Floodplain Regulations.)

1. The Board may grant a variance upon specific written findings of fact based upon the particular evidence presented to it at the hearing that all the conditions required by K.S.A. 12-759(e) have been met which are listed below:

i. That the variance requested arises from such condition which is unique to the property in question and which is not ordinarily found in the same zoning district. and is not created by an action or actions of the property owner or the applicant; **Not created by the property owner. Unique to the property has to do with the subdivision as a whole and not individual lots as it commonly the case.**

ii. That granting of the variance will not adversely affect the rights of adjacent property owners or residents; **It will not adversely affect the property owners who are currently home builders who would like to see their homes marketed.**

iii. That strict application of the provisions of these regulations from which a variance is requested will constitute unnecessary hardship upon the property owner represented in the application; **It is common practice in Sedgwick county to market subdivisions with larger signs for temporary use (10 Years) Hardship would occur in the competition of selling homes.**

iv. That the variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare; and

v. That granting the variance desired will not be opposed to the general spirit and intent of these regulations. **It will not affect health, safety or welfare, and is for the purpose of competition and helping Goddard grow.**

Financial: Public notice was given incurring a small cost.

Legal Considerations: Approved as to form

Recommendation/Actions: It is recommended that the Planning Commission approve the sign variance request **(VOICE)**

Attachments: Exhibit F.1a Variance Application (1 Page) Exhibit F.1b Sign Image (1 Page)



**APPLICATION FOR A VARIANCE FROM THE
ZONING REGULATIONS
City of Goddard, Kansas**

DATE: _____

FEE \$125.00

This is an application for a variance. The form must be completed in accordance with directions on the accompanying instructions and filed with the Zoning Administrator at City Hall, 118 North Main, P.O. Box 667, Goddard, Kansas 67052 or FAX: (316) 794-2401.

Name of Applicant Kick N Development Corp

Address 716 N 119th St # 120 Wichita, KS 67225 Phone 316-222-1077

Name of Agent (if applicable) Taul Kelsey

Address Same Phone Same

Relationship of applicant to property is that of Owner (Owner, Tenant, Lessee, etc.)

Application is made for a variance as provided for in Section 10-107 of the City Zoning Regulations to permit (describe request): 8' x 12' area sign for marketing Clouu Leaf Farms

For property located at Martens Drive and Casado St

And legally described as Clouu Leaf Farms

In the City which is zoned as the Goddard KS District.

The applicant herein or his/her authorized agent acknowledges:

1. That he/she has received instruction material concerning the filing and hearing of this matter; and
2. That he/she has been advised of the fee requirements established and that the appropriate fee is herewith tendered; and
3. That he/she has been advised of his/her rights to bring action in the District court of the County to appeal the decision of the Goddard Board of Zoning Appeals; and
4. That all documents are attached hereto as noted in the instructions; and
5. That the Goddard Board of Zoning Appeals has the authority to require such conditions as are deemed necessary and reasonable in order to serve the public interest.

Applicant Taul Kelsey Date 7/22/2020
 Agent (if applicable) _____ Date _____

OFFICIAL USE ONLY
 This application was received at _____ on _____ 20__ by the Zoning Administrator acting for the Board of Zoning Appeals. It has been checked and found to be complete and accompanied by the required documents and the appropriate fee of \$125.00.

Thanks
for Visiting
Clover Leaf
Farms



CLOVER LEAF FARMS

Homes starting
\$100's-\$250's

By



If You were *Lucky* You would be Home Now!

Area Information
Michelle M. Crouch 461-1405

**City of Goddard
Goddard Planning Commission
September 14, 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. Rezoning Baptist Church

The Baptist church has sold, and the new property owners are requesting a rezoning from an R-1 zoning classification to a C-1 “Central Business District” classification. This rezoning request will be considered on October 12th before the Planning Commission.

C-1 Central Business District

A. Permitted Uses.

1. Bakeries, including retail and wholesale sales.
2. Business and professional offices and financial institutions, including drive-up windows and drive-through facilities.
3. Dwelling units constructed in conjunction with and above the first floor of business establishments.
4. Laundries and dry-cleaning establishments, including self-service.
5. Newspaper, publishing, and printing firms.
6. Parking lots or parking garages.
7. Restaurants, but not drive-ins.
8. Retail businesses. (See Section 2-102 for definition of RETAIL BUSINESS.)
9. Second-hand stores.
10. Service businesses such as repairing watches, jewelry, shoes, office machines and appliances; dress making and tailor shops; barber and beauty shops; locksmiths; and the like as well as personal services such as physical fitness and tanning salons.
11. Studios: art, music, dance, photographic and radio broadcasting.