

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

October 14, 2019
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 – September 9, 2019
- F) BOARD of ZONING APPEALS**
 - 1. Sign Regulations Revisions
- G) OLD BUSINESS**

None
- H) NEW BUSINESS**

None
- I) CITY PLANNER REPORT**
 - 1. STAR Bond
 - 2. Rustic Creek
 - 3. Elk Ridge /Arbor Creek/Clover Leaf
- J) COMMISSIONER COMMENTS**
- K) ADJOURNMENT**

The Next Regular Meeting of the Planning Commission is scheduled for
November 12, 2019 at 7pm.

**MINUTES-REGULAR SESSION
CITY OF GODDARD
118 NORTH MAIN, GODDARD, KS
MONDAY, SEPTEMBER 9, 2019**

The Goddard Planning Commission met in a Regular Session at Goddard City Hall on Monday September 9, 2019. Chairman VanAmburg called the meeting to order at 7:04 p.m. Commissioner Cline led in the Pledge of Allegiance and the Invocation. Commission members present were: Justin Parks, Doug VanAmburg, Darrin Cline, Jamie Coyne, Doug Hall, Shane Grafing
Also present were: Micah Scoggan, City planner, No additional City Staff were present

APPROVAL OF THE AGENDA

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

APPROVAL OF THE MINUTES

MOTION: Commissioner *Hall* moved to approve the minutes from August 12, 2019. Commissioner Grafing seconded the motion. The motion carried unanimously

CITIZEN COMMENTS

None

CITY PLANNER REPORT

Scoggan spoke on the potential new Planning Commissioner Jody Dendurent who would be sworn in by the mayor at the next City Council meeting. He spoke on Jody's qualifications and what she hoped to bring to the Planning Commission as well as her time living in Goddard.

Scoggan spoke on the STAR Bond update explaining that the Genesis Gym Baseball Director wants to have a baseball tournament on September 28 and October 12. He stated that he informed Hanney Architects they would need to have the parking and the concession stand completed before any baseball tournament could take place.

Scoggan spoke on the upcoming sign ordinance change and how the city must allow 21 days to elapse with a public notice prior to voting on the changes. *Scoggan* spoke on how the ordinance changed over time but the main point would be that they are removing zoning restrictions but will include a merit-based system for evaluating each new development taking into account the speed limit when considering whether a project should have a pole sign. He also stated that per the city attorney's request the sign ordinance should state that no sign will be judge on the message as that could be a violation of state law.

Chairman **VanAmburg** asked is there really a difference between a pole sign and a monument sign in terms of visual value. Commissioner **Parks** noted that there is a perception with pole signs that can be viewed negatively by the populace of a city and often times it can be viewed as tacky or indicative of a run-down corridor. Commissioner **Parks** also noted that the City of Derby Kansas at one point phased out their pole signs and the look of it was much more appealing to the casual observer. **Scoggan** stated that these perceptions are involved in multiple levels of design noting there is similar perception for fences in terms of a picket fence versus a chain link one. Commissioner **Parks** stated that companies know in exhaustive detail exactly how certain signs can be laid out to maximize profit and catch potential clients for that business. **Parks** noted that perhaps there could be speed limit thresholds with which to apply some sort of design guideline to justify each type of sign. Commissioner **Coyne** asked if these speed thresholds could be written into the code to solidify them. **Scoggan** replied it might not make it through the voting process since any type of hard regulations could be construed as design prohibitive but could be used as an informal rubric. Commissioner **Coyne** asked what would happen if the Planning Commission refused to endorse any change whatsoever. **Scoggan** replied a formal report would go before the City Council stating why the refused to endorse the change at which point the existing regulations would still be in place. This might cause a special session to be called between the Planning Commission and City Council to resolve the matter prior to another resolution being written or be formally adopted. Commissioner **Parks** said perhaps there could be a more give and take between the businesses allowing pole signs if they gave the city more green frontage as a compromise in an attempt to beautify the corridor. Chair **VanAmburg** asked if there was a limit to the number of signs that a business could use on their lot and **Scoggan** replied he would have to review it and get back to them.

Scoggan went on to talk about the PUD revision that would adopt a more flexible design stance. This he stated would help with allowing developers to have a wider range in design ideas. He stated the new revision will remove redundant processes and allow a more streamlined approach to development within a PUD application and zoning classification. He stated this too require public notice and a waiting time before it can be officially voted on.

Scoggan stated that he spoke with the developers of the Old Chicago proposal and that according to their marketing team they were planning on continuing development in March, 2020

GOVERNING BODY COMMENTS

Commissioner **Graffing** asked about the status of the Arbor Creek subdivision. **Scoggan** stated that all new developments need to get approval from KDHE prior to moving any dirt and this process can take time.

Scoggan also stated that Burger King had pulled their permit for building and were expected to be completed in 10 weeks. Commissioner **Coyne** said he was curious about that development and was going to ask about it and was glad to hear they had pulled a permit.

Commissioner **Cline** said he would like an email of the new sign ordinance to prepare for October 12. **Scoggan** replied he could send it to all of them.

ADJOURNMENT

MOTION: Commissioner *Coyne* moved to adjourn the regular meeting. Commissioner *Grafing* seconded the motion. The motion carried unanimously.

*Meeting adjourned at 7:56 pm.
Micah Scoggan, City Planner*

**City of Goddard
Goddard Planning Commission
Monday, October 14, 2019
7:00 PM**

TO: Planning Commission
SUBJECT: Sign Regulation Revision
PREPARED BY: City Planner
AGENDA: Board of Zoning Adjustment

Background: In 2016 the City of Goddard Adopted new guidelines for regulating signage within the City limits of Goddard. The new regulations required businesses with pole signs to convert them to monument signs by December 31, 2021 In addition to this specific zoning classifications prohibited the use of certain types of signs within that zoning classification. This has caused some consternation amongst the commercial business as certain business felt that this might be to costly or that monument signs did not meet the marketing need for be located along 54/400.

Analysis: Revisiting the sign regulations resulted in some of the following changes that are currently being presented:

- The December 31, 2021 deadline has been removed
- Existing buildings with pole signs if they need to maintain or alter them, will submit a sign permit with any necessary images to illustrate the changes
- Existing businesses with no current sign that wish to erect one will submit a sign permit with any necessary images to illustrate the new sign.
- New buildings being proposed will have to submit a site plan which will be approved through the Planning Commission. This site plan has always been required of new businesses.
- Sign types will be considered based on individual criteria of the project including speed limits of adjacent streets. Density of buildings and proximity to corridors arterials and collectors ect.

Recommendation/Actions: It is recommended that the Planning Commission approve the changes to the sign regulations as it pertains to zoning and subdivision regulations (**MOTION**)

Attachments: [Exhibit \(A\)](#) [Exhibit \(B\)](#) [Exhibit \(C\)](#)

NOTICE OF HEARING

TO ALL PERSONS CONCERNED:

Notice is hereby given that the Goddard Planning Commission/Board of Zoning Appeals will conduct a public hearing in the City Council chambers at Goddard City Hall, 118 N. Main Street, Goddard, KS on Monday, October 14, 2019 at 7:00 p.m, or as soon thereafter as the matter may be heard, to consider a text amendment to Article 7, Signs, Sections 100, 101, 102, 103 of the City of Goddard Zoning Regulations allowing for sign regulations pursuant to the authorization contained in K.S.A. Section 12-753

At such time and place, all persons interested may appear and be heard as to this matter. After hearing the views and wishes of all persons interested in the case, the Planning Commission/Board of Zoning Appeals will close the public hearing and consider a recommendation to the Governing Body. The public hearing may be recessed and continued from time to time without further notice.

The proposed Amendment is on file at Goddard City Hall, 118 N. Main St. Goddard, KS 67052 and may be inspected during general business hours of 8:00 a.m. – 4:30 p.m. Monday – Friday. If you are unable to attend the meeting you may submit your comments in writing via email to the City and those comments will be presented to the Planning Commission/Board of Zoning Appeals during the public hearing.

If you have any questions concerning this matter please contact Goddard City Hall, 118 N. Main St; via phone at (316) 794-2441; or email at mscoggan@goddardks.gov

Micah Scoggan
City Planner/Code Enforcement
City of Goddard, Kansas

Affidavit of Publication

Michelle R. Leidy-Franklin

Of lawful age being duly sworn upon oath states
That she is the lawful billing clerk at

**Times-Sentinel Newspapers, LLC
State of Kansas**

A weekly newspaper printed in the state of Kansas,
And published in and of general circulation in Sedgwick
County, with a general paid circulation on a yearly
Basis in Sedgwick County of Kansas, and that said
Newspaper is not a trade, religious, or fraternal
Publication. That said newspaper has been published
At least weekly 50 times a year, has been so published
Continuously and uninterrupted in said county and state
For a period of more than five years prior to the first
Publication of said notice and has been admitted to the
Post Office of Cheney, Kansas, in Sedgwick County as
Second class matter. That the attached is a true copy
Thereof and was published on the following dates in the
Regular and entire Issue of said newspaper.

First Publication was made
On the 19TH Day of SEPT. 2019
Second Publication was made
On the 26TH Day of SEPT. 2019
Third Publication was made
On the 3RD Day of OCT. 2019

Total Publication Fee \$ 267.75

Michelle R. Leidy-Franklin

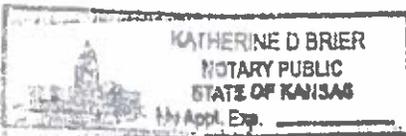
Subscribed and sworn to before me this

3rd Day of Oct., 2019

Kathy D

Notary Public

My Commission expires on 5/8/23



PUBLIC NOTICE

First Published in The Times-Sentinel September 19, 2019 (3t)

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/s/ Micah Scoggan
City Planner/Code Enforcement
City of Goddard, Kansas

Article 7, SIGNS, Sections 100, 101, 102, 103 shall be amended to read as follows:

100 Sign permits

No sign, except for signs listed in Section 7-103, shall be constructed, erected, enlarged, relocated or structurally altered until a sign permit for such sign has been obtained in accordance with the procedure set out in Article 9 of these regulations. The subject matter of the sign, including the topic discussed or the idea or message expressed, shall play no role in determining whether to grant or deny a permit.

All new development must submit a sign site plan and/or elevation as needed, showing the dimensions of the sign, location, colors, method of illumination, material and façade for new developments. Each sign will be reviewed by the City Planner and will be brought before the Planning Commission to be judged on the individual merit of the sign and its overall influence on the surrounding built environment. Consideration for the speed limit on the street the sign is facing will be used in the criteria for determining the most appropriate sign for the location. Site plans can be in sketch form if they adequately display all the necessary criteria to effectively display the overall idea of the sign.

All existing signs or signs that are being added to existing buildings need to be accompanied by a sign site plan and/or elevation as needed permit and will be reviewed by the City Planner prior to being approved.

Signs that are structurally altered are classified as new signs and will need to be submitted with a site plan or elevation as needed and will need to be considered by the City Planner prior to being reconstructed.

The purpose of this article is to safeguard the public use of the streets and the sidewalk area and to equitably enhance the public use of the streets and the sidewalk area and to equitably enhance the visual environment. (See Section 2-102 for definition of SIGN.) (See K.S.A. 68-2231, et seq. for state sign regulations.)

101 Classification of Signs.

A. Types.

1. Awning, Canopy or Marquee Sign: A sign that is mounted or painted on, or attached to, an awning, canopy or marquee that is otherwise permitted by these regulations. No such sign shall project further below than seven feet from the ground level or beyond the physical dimensions of the awning, canopy or marquee.
2. Free Standing Sign: Any sign which is independent of the principal building and is standalone, requiring no built structure for support.
3. Monument Sign: Any sign placed upon, or supported by, the ground independent of the principal or accessory buildings or structures on the property, with little or no open space between the ground and the sign and having a structure of masonry, wood, or materials similar in appearance as approved by the building official. To qualify as a monument sign, the base material must be at least 50% the length and width of the display area of the sign.

4. Projecting Sign: A sign that is wholly or partly dependent upon a building for support and which projects more than 12 inches from such building.
5. Roof Sign: A sign totally supported on the roof of a building which does not project more than 12 inches beyond the face of the structure.
6. Temporary Sign: A sign in the form of a banner, pennant, valance or advertising display constructed of fabric, cardboard, wallboard or other lightweight materials, with or without a frame, intended for temporary display of not more than four days at a time.
7. Wall Sign: A sign fastened to or painted on a wall of a building or structure in such a manner that the wall becomes merely the supporting structure or forms the background surface, and which does not project more than twelve inches from such building.

102 General Standards.

- A. Gross Surface Area of Sign. The entire area within a single continuous perimeter enclosing the extreme limits of such sign, and in no case passing through or between any adjacent elements of same. Such limits of such sign and which do not form an integral part of the display. When two or more signs are located on a zoning lot, the gross surface area of all signs on the lot shall not exceed the maximum gross surface per street frontage set by the applicable district regulations., except as is provided by Section 7-102B. Signs on interior lots which may be viewed from both directions of the adjacent street are considered to have a single gross surface area.
- B. Corner and Through Lots. On corner and through lots, each lot line that abuts a street or highway shall be considered a separate street frontage. On corner and through lots, restrictions that are phased in terms of the number of signs per zoning lot shall be deemed to permit the allowable number of signs to face each street or highway that abuts the lot.
- C. Height of Sign. The maximum height of signs shall be measured from ground level at the base of or below the sign to the highest element of the sign and shall be determined for purposes of Article 7 as independent from the maximum structure height for zoning districts.
- D. Building and Electrical Codes Applicable. All signs must conform to the structural design standards of any applicable building code. Wiring of all electrical signs must conform to any applicable electrical code.
- E. Illuminated Signs. Signs shall be shaded wherever necessary to avoid casting bright light upon property located in any residential district or upon any public street or park. Any brightly illuminated sign, located on a lot adjacent to or across the street from any residential district, which is not otherwise shaded and visible from such residential district, shall not be illuminated between the hours of 11 P.M. and 7 A.M.
- F. Flashing or Moving Signs. No flashing signs, rotating or moving signs, animated signs, signs with moving lights or signs which create the illusion of movement shall be permitted in any residential district. (See Section 2-102 for definition of SIGN.)

G. Metal and Nonmetal Signs. Signs constructed of metal and illuminated by any means requiring internal wiring or electrically wired accessory fixtures attached to a metal sign shall maintain a free clearance to grade of eight feet. Accessory lighting fixtures attached to a nonmetal frame sign shall also maintain a clearance of eight feet to grade. Metal or nonmetal signs, whether illuminated or not, shall maintain a clearance of at least seven feet underneath awnings, canopies or marquees.

H. Access Way or Window. No sign shall block any access way or window required by and applicable building, housing, fire or other codes or regulations.

I. Signs on Utility Poles. No sign shall be attached to a utility pole without prior written approval of the utility company that installed or maintains the pole.

J. Traffic Safety.

1. No sign shall be maintained at any location where by reason of its position, size, shape or color; it may obstruct, impair, obscure, interfere with the view of, or be confused with; any traffic control sign, signal or device: or where it may interfere with, mislead or confuse traffic.

2. No sign shall be located in any vision triangle as defined in Section 2-102, except official traffic signs and signs mounted eight feet or more above the ground whose supports, not exceeding two, do not exceed 12 inches at the widest dimension and, thus, do not constitute an obstruction.

K. Location. No sign or structure thereof shall be permitted on a public right-of-way or public easement. No sign shall be permitted to project over a public right-of-way or public easement, except with the approval of the Board of Zoning Appeals as a conditional use, or as a permitted use in the C-1 Central Business District.

1. Any unauthorized sign placed on public property, including the public street right-of-way, is declared to be a public nuisance and be the cause of its removal and impoundment without notice. If not redeemed within 30 days by the owner paying a service charge, the City may dispose of the sign in any manner deemed appropriate. The Zoning Administrator may revoke the permit for any sign deemed to be in violation of Section 7-102L or of any condition on which the permit was based and order its removal within a reasonable period consistent with public safety.

L. Damaged or Unsafe Signs. The Zoning Administrator shall require the immediate repair or removal of any conforming or nonconforming sign or sign structure which has been damaged or deteriorated so as to become a public hazard. Any such damaged sign or sign must be repaired or removed

103 Exemptions.

A. The following signs shall be exempt from the requirements of this Article:

1. Signs of duly constituted governmental body including school districts such as traffic or similar regulatory devices, legal notices, warnings at railroad crossings, identification purposes and other instructional or regulatory signs having to do with health, safety, parking, swimming, dumping, etc.

2. Flags or emblems of a government or of a political, civic, philanthropic, educational or religious organization, when displayed on private property.

3. Small signs, not exceeding five square feet in gross surface area, displayed on private property.
4. Address numerals and other signs required to be maintained by law, rule or regulation; provided, that the content and size of the sign does not exceed such requirements.
5. Scoreboards in athletic fields or stadiums.
6. Temporary signs that serve to market a new business for short period of time and are intended to be removed once the new business has been fully erected.

104 Prohibited Signs

Portable Signs. The following provisions apply to portable signs:

1. Definition: A portable sign is defined as a temporary on-site sign designed in such a manner as to be readily movable and not permanently attached to the premises, such as A-frames, trailer signs, signs placed on vehicles, beacon lights and other similar signs. Removal of any wheels shall not change the definition of being readily removable.
2. Portable signs are prohibited to preserve the visual appearance of the City and promote traffic safety.

**City of Goddard
Goddard Planning Commission
Monday, October 14, 2019
7:00 PM**

TO: Planning Commission
SUBJECT: Several items of note for informative purposes but note voting on
PREPARED BY: City Planner
AGENDA: City Planner Report

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

1. STAR Bond

MABCD has fast tracked the STAR Bond development and the General contractor can pull the building permit for the Genesis gym at any time. The Hampton is considered a separate building from the Genesis and still needs to be approved through MABCD. Weather has delayed much of the progress with the heavy rain, but the project is ongoing. An entry archway is still being considered but after more pivotal parts of the project have fallen in place.

2. Rustic Creek

Garver LLC, a construction engineering company will be submitting a preliminary plat in November for consideration by the Planning Commission. The subdivision currently called Rustic Creek will be composed of 106 Single-family detached lots on 41.44 acres. This project is located north of the frontage road and west of 199th

3. Elk Ridge/Arbor Creek/Clover Leaf

The 3rd Phase of **Elk Ridge** is underway with dirt work and improvements going in to accommodate the next stage of development. This last phase will include an additional 22 lots.

The 1st Phase of **Arbor Creek** is underway with dirt work and improvements going in to accommodate this stage of development. This first phase will include 59 lots.

The 1st Phase of **Clover Leaf** will be underway in November with dirt work and improvements going in to accommodate this stage of development. This first phase will include 50 lots.